

**MINUTES OF CITY COUNCIL MEETING
ARTESIA, NEW MEXICO
May 25, 2021**

The City Council of the City of Artesia, New Mexico met in the City Council Chambers at City Hall on Tuesday, May 25, 2021 at 5:00 p.m. in regular session with Mayor Raye Miller presiding, and the following present to wit:

Mayor Pro Tem Terry Hill	Raul Rodriguez
Jeff Youtsey	Ignacio Mariscal
George G. Mullen	Kent Bratcher

Also, present:
Aubrey Hobson, City Clerk/Treasurer
Attorney Jay Francis

Absent: Sam Hagelstein
Jarrod Moreau

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:

- A. *Artesia General Hospital – 2021 Artesia Heart Walk to be held Saturday, June 12, 2021 from 8:00 am – 12:00 noon. Request approval of use of city sidewalks and streets as stated on application

Councilor Rodriguez made a motion to approve the Artesia General Hospital 2021 Artesia Heart Walk. Second by Councilor Mariscal and upon vote, the motion passed 6-0.

City Departments and Employees

Human Resource Director Sandi Countryman recognized Peter Newman, Gina Davila and Summer Valverde for going over and beyond in helping out with open enrollment benefits.

Special Reports

- A. *Discussion and possible action of reopening plans for the Senior Center including staffing decisions

COA Supervisor Caryle Goss stated that the plan is in the packet for reopening of the Senior Center and stood for questions.

Councilor Rodriguez made a motion to approve the plans for reopening the Senior Center. Second by Mayor Pro Tem Hill and upon vote, the motion passed 6-0.

Consent Agenda

Councilor Rodriguez moved to approve the consent agenda and pull items 5) E & F. Second by Mayor Pro Tem Hill and upon vote, the motion carried 6-0.

**CONSENT AGENDA
May 25, 2021**

1. **Approval of Minutes** *May 11, 2021
2. **Consideration of Bids:**
3. **Contracts, Leases and Agreements:**
 - A. *Approval of assignment of Lease for Patterson Welding Works, Inc., 2404 N. Parkland Avenue, Lot 2 of Block 3 of the Industrial Park of Artesia, to 2404 Parkland, LLC
4. **Appointments:**
 - A. Approval of the reappointment of Anna Whitmire to the Planning and Zoning Commission *(term to expire April 2023)*
 - B. Approval of the reappointment of Dean Chumbley to the Planning and Zoning Commission *(term to expire April 2023)*
 - C. Approval of the reappointment of Steve Moreno to the Planning and Zoning Commission *(term to expire April 2023)*
 - D. Approval of the reappointment of Aleene Ivy to the Planning and Zoning Commission *(term to expire April 2023)*
5. **Personnel Resignations, Hirings, Promotions, and Transfers:**

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

 - A. *Hire:

<u>Name</u>	<u>Department</u>	<u>Position</u>	<u>Rate of Pay</u>
1. <u>Oscar Bejarano</u>	Wastewater	Assistant	\$2482 per month CA22
2. <u>Matthew Schwab</u>	Wastewater	Assistant	\$2482 per month CA22
 - B. Accept the resignation of Ricardo Huerta, Police Commander, effective May 31, 2021
 - C. Accept the resignation of Kolbyn Pollard, Wastewater Assistant, effective May 3, 2021
 - D. Accept the resignation of Braeden Haeck, Community Service Officer, effective June 2, 2021
 - E. Hire *(*from approved list)* subject to successful completion of required pre-employment testing:
 - 1) Temporary Recreation Positions - \$10.50 per hour
 - F. Request permission to advertise and fill:
 - 1) Maintenance Tech/Recreation Specialist (ratification)
 - 2) Community Service Officer
6. **Dates of Hearing:**

7. ***Travel and Training:**
8. **Routine Requests for City Facilities:**
9. **Routine Resolutions (to be assigned a number by staff):**
10. **Budgeted Items:**
11. **Quarterly Journal Entries:**
12. **Non-budgeted Items:**
13. ***Payment of Bills**

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

- A. *Consideration and approval of an ordinance for Case No. 21-03: Final Plat of Artesia Industrial Park North Replat. Lots 4, 8, 12 and 14 and Tracts A, C and D of Artesia Industrial Park North Subdivision; Located east of Freeman Avenue on the east ends of the Morrow Street, Delaware Street and Grayburg Street alignments; Owner: City of Artesia

Community Development Director Jim McGuire spoke on Case No. 21-03, O- 1083, Artesia Industrial Park North Replat for consideration and approval. The Planning & Zoning Commission reviewed the request and unanimously recommended approval and staff is also in support of the proposed replat.

Mayor Miller asked if anyone would like to address Council.

Councilor Rodriguez made a motion to approve the final plat of Artesia Industrial Park North replat Case No. 21-03, O-1083. Second by Councilor Mullen and upon rollcall vote, the motion passed 6-0.

ORDINANCE – 1083

- B. *Consideration and approval of an ordinance for Case No. 21-04: Zone Change from Public use district "P" to Business district "C". Legal: The north 350 feet of the west 339 feet of Block 26A and the south 49.5 feet of the west 339 feet of Block 17B of Fairview Addition to the City of Artesia; Location: 612 N. Roselawn Avenue; Owner: City of Artesia

Jim McGuire spoke on Case No. 21-04, O- 1084 zone change use district "P" to Business district "C" for consideration and approval of zone change. The Planning & Zoning Commission reviewed the request on April 24th and unanimously recommended approval and staff is also in support of the zone change.

Mayor Miller asked if anyone would like to address Council.

Councilor Rodriguez made a motion to approve the zone change use of district “P” to Business district “C”, Case No. 21-04, O-1084. Second by Councilor Bratcher and upon rollcall vote, the motion passed 6-0.

ORDINANCE - 1084

- C. *Consideration and approval of an ordinance for Case No. 21-05: Final Plat of Sherrell Acres #6 Summary Subdivision (County). A Replat of Tract A-1 of Sherrell Acres #5 as Filed September 28, 2020 in Cabinet 8, Slide 24-1 in Section 32, Township 17 South, Range 26 East, N.M.P.M., Eddy County, State of New Mexico; Located east of 12th Street and south of Crystal Street; Owner: C. Jerry Sherrell

Jim McGuire spoke on Case No. 21-05, O-1085, Final Plat of Sherrell Acres #6 Summary Subdivision (County). The Planning & Zoning Commission reviewed the request on April 21st and unanimously recommended approval and staff is also in support of the zone change.

Mayor Miller asked if anyone would like to address Council.

Councilor Rodriguez made a motion to approve Case No. 21-05, O-1085, final plat of Sherrell Acres #6 summary subdivision (County). Second by Councilor Bratcher and upon rollcall vote, the motion passed 6-0.

ORDINANCE – 1085

Period for Hearing Visitors

None.

Comments from Public Officials and Contracted Services

None.

Committee Reports:

- A. Budget and Finance – Mayor Pro Tem Hill stated that he has nothing but what is on the agenda.
- B. Personnel – Councilor Mullen stated that they had a meeting on Monday and will discuss later.
- C. Police and Fire – None.
- D. Planning (*Project Management, Code Enforcement, Permits and Inspections*) – None.
- E. Recreation – Councilor Bratcher stated they had a meeting last week discussing water leaks.
- F. Infrastructure (Streets, Garage, Cemetery, Parks, Water, Wastewater, Solid Waste, Facility Maintenance) - Councilor Bratcher stated that they had a meeting on the 20th.
- G. Government – None.

Personnel

Human Resource Director Sandi Countryman stated that they have received a low response of applicants for Summer hires which has been extended another week with receiving 5 more applicants. Sandi then asked if we are to continue or stop where it is.

Councilor Bratcher made a motion to direct staff to fill the positions that are needed. Second by Councilor Rodriguez and upon vote, the motion passed 6-0.

Public Safety

Police Department:

Police Chief Roberts stated that he has nothing on the agenda and reminded everyone that Detective Frazier's service are tomorrow.

Fire Department:

Fire Chief Hope stated that he has nothing on the agenda and that they completed the testing process Saturday and have four successful applicants.

Community Development

A. Discussion and possible action on Aquatic Center fees

Jim met with Lowell and Stephanie to discuss the proposed new fee schedule that are now working to maximize capacity within the Governor's orders.

Mayor Pro Tem Hill made a motion to approve the changes in fees contingent upon the school administration's approval. Second by Councilor Bratcher and upon vote, the motion passed 6-0.

Infrastructure

Infrastructure Byron Landfair discussed updates with the Artesia Greater Foundation. Hermosa has been open for two weeks now. Industrial Park expansion grant plans were submitted to the EDA. Of concern is that the original project was set to cost \$3,000,000 but a rise in material costs means we will have to come up with an additional half a million dollars. Mayor Miller stated there might be funds available through GAEDC.

City Attorney

None.

City Clerk

- A. *Consideration and approval of resolution clarifying PERA Employer contribution (*postponed from May 11, 2021 meeting*)

City Clerk/Treasurer Aubrey Hobson stated that he will need to postpone the PERA resolution as they have not gotten back with him and more discussion is needed. The Council agreed to postpone the resolution

B. *Consideration and approval of Budget Adjustment Resolution

Aubrey stated that the budget adjustments are in the packet and the main item is the American Heroes Act addition.

Councilor Bratcher made a motion to approve the budget adjustment Resolution- 1754. Second by Councilor Rodriguez and upon vote, the motion passed 6-0.

RESOLUTION 1754

C. Consideration and approval of Adoption of 2021/2022 Interim Budget

Aubrey stated that there will be several things that will affect the budget in the 1st four months. The HEROES money will be sent by the State in two payments of \$1,445,000 one next month and one in June of 2022.

Councilor Bratcher made a motion to approve adoption of 2021/2022 interim budget for submission to DFA using the amounts in column G of the budget worksheet. Second by Councilor Youtsey and upon vote, the motion passed 6-0.

Mayor

- A. Executive session: In accordance with the State of New Mexico Open Meetings Act, Section 10-15-1-(H)(2)(7):
1. Limited personnel matters – Fire Department
 2. Limited personnel matters – Community Development
 3. Limited personnel matters – Police Department
 4. Pending litigation

Councilor Rodriguez made a motion to go into executive session to discuss personnel matters and pending litigation at 6:00 p.m. Second by Mayor Pro Tem Hill and upon rollcall vote, the motion passed 6-0.

B. Action as a result of executive session

Councilor Rodriguez made a motion at 7:29 p.m. to come out of executive session with no action taken regarding limited personnel matters and pending litigation. Second by Mayor Pro Tem Hill and upon vote, the motion passed 6-0.

Councilor Rodriguez made a motion to direct HR to pursue positively to conclude a review concerning the Fire Department employee discussed. Second by Councilor Bratcher and upon vote, the motion passed 6-0.

Councilor Rodriguez made a motion for limited matters concerning Community Development whereby the Council agrees there is no conflict of interest in an employee's outside job. Second by Mayor Pro Tem Hill and upon vote, the motion passed 6-0.

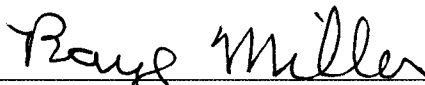
Councilor Rodriguez made a motion to promote Chantel Longway from Sergeant to Commander and David Bailey from Corporal to Sergeant and fill the vacated positions. Second by Councilor Youtsey and upon vote, the motion passed 6-0.

New or other business from Councilors

None.

Adjournment

There being no further business, the meeting was adjourned at 7:39 p.m. On May 25, 2021.



Raye Miller, Mayor

ATTEST:



Aubrey Hobson - City Clerk