

**MINUTES OF CITY COUNCIL MEETING
ARTESIA, NEW MEXICO
January 25, 2022**

The City Council of the City of Artesia, New Mexico met in the City Council Chambers at City Hall on Tuesday, January 25, 2022 at 5:00 p.m. in regular session with Mayor Raye Miller presiding, and the following present to wit:

Mayor Pro Tem Hill	Kent Bratcher
Sam Hagelstein	Raul Rodriguez
Ignacio Mariscal	Jarrod Moreau
George Mullen	

Also, present:

Aubrey Hobson, City Clerk/Treasurer
City Attorney Jay Francis

Absent:

Summer Valverde, City Assistant Clerk/Treasurer
Jeff Youtsey, City Councilor

It was determined that a quorum was present. The invocation was given by Councilor Rodriguez and a special visit from the Cub Scouts' all joining in the Pledge of Allegiance. Pictures were then taken of Cub Scouts with the Councilors. The Cub Scout's then thanked everyone for having them.

New Requests for City Facilities:

- A. *Gabriel Longoria Sr. representing Outkast Softball Organization – request use of the Girls' Softball Fields for the Outkast Winter Classic Camp to be held from 8:00 am – 4:00 pm on January 15th, 22nd, and 29th, 2022 and February 5th, 12th, 19th and 26th, 2022. Contingent upon proof of insurance and proof of permission from the President of the Girls' Softball Association.

Councilor Rodriguez stated that they had met several times with discussion of the operation and rules that they would go by.

Councilor Rodriguez made a motion to approve the request for the use of the Girls' Softball Fields for the Outkast Winter Classic Camp. Second by Councilor Mariscal and upon vote, the motion passed 7-0.

- B. *Artesia Car Enthusiasts, Artesia MainStreet and Artesia Chamber of Commerce – request approval for use of Heritage Plaza on April 1st and 2nd, 2022 for the 23rd Annual Main Event Car Show and Cruise and the closure of Main Street from 6 am – 5 pm on Saturday, April 2,

2022. Request approval of use of city services, streets and closures as stated on application and waiver of fees. Contingent upon proof of security and State approval.

Mayor Miller stated that we have two requests from the Artesia Car Enthusiasts and would like to combine Item's B. & C. together.

- C. * Artesia Car Enthusiasts, Artesia MainStreet and Artesia Chamber of Commerce – request approval to hold a parade on April 1, 2022 to kick off the 2022 Car Show. Request use of city services, streets and closures as stated on application and waiver of fees. Contingent upon proof of insurance and State approval.

Councilor Mariscal asked if the car show would be on Main Street also. Dorothy stated it would be on Main Street.

Councilor Rodriguez made a motion to approve two request Item's B. & C. Artesia car show and cruise. Second by Councilor Hagelstein and upon vote, the motion passed 7-0.

City Departments and Employees

None.

Special Reports

None.

Consent Agenda

Councilor Rodriguez made a motion to approve the consent agenda as written. Second by Councilor Mullen and upon vote, the motion carried 7-0.

CONSENT AGENDA January 25, 2022

1. **Approval of Minutes** *January 11, 2022
2. **Consideration of Bids:**
3. **Contracts, Leases and Agreements:**
4. **Appointments:**
 - A. Approval of the reappointment of Ron Davis to the Historical Museum Commission (term to expire January 2024)
 - B. Approval of the reappointment of Kelcey George to the Historical Museum Commission (term to expire January 2024)
 - C. Approval of the appointment of Deborah Pardue to the Historical Museum Commission (term to expire January 2024)
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>David Sams</u>	Airport	Part-time Attendant	\$12.50 per hour
2.	<u>Servando Bustillos</u>	Streets	Equipment Operator I	\$2507 per month CA22
3.	<u>Ernest Alford</u>	Community Development	Code Enforcement Officer I	\$2700 per month CA25

- B. Failure to complete probationary period, Michael Hope, Fire Cadet, effective January 11, 2022
- C. Failure to complete probationary period, Tyler Forrester, Fire Cadet, effective January 17, 2022

6. **Dates of Hearing:**

- A. Approval of a public hearing on February 22, 2022 for consideration and approval of an ordinance for Case No. 22-01: Final Plat for Desert Willow Estates (County). A final plat for 61 lots; Location: Northeast corner of Richey Avenue and Savannah Drive; Legal: Tracts 1 and 2 of Redeemed Hermosa Land Division, E/2 SW/4 in Section 1, Township 17 S, Range 25 E; Owners: Hermosa LLC and Redeemed Holdings LLC
- B. Approval of a public hearing on February 22, 2022 for consideration and approval of an ordinance for Case No. 22-02: Missouri Avenue 80' R.O.W. Vacation Between Sellcrow, LLC and Choas Cafe. An 80-foot right-of-way street vacation; Location: Missouri Avenue from 1st Street to BNSF Railway, between 415 S. 1st Street and 501 S. 1st Street; Legal: 80' Public R.O.W. known as Missouri Avenue of the Blair Addition to the City of Artesia in Section 17, Township 17 S, Range 26 E; Owners: Sellcrow Holdings, LLC, Morton Family Trust, and City of Artesia

7. ***Travel and Training:**

- A. Police – Permission for one (1) employee to attend the Police Use of Force training in Hobbs, NM
- B. Police – Permission for one (1) employee to attend the Advanced Roadside Impaired Driving Enforcement training in Alamogordo, NM
- C. Police – Permission for one (1) employee to attend the Background Investigation (for pre-employment) training in Artesia, NM
- D. Police – Permission for one (1) employee to attend the Instructor Development Course in Santa Fe, NM

7. ***Travel and Training (con't):**

- E. Police – Permission for one (1) employee to attend the Bloodstain Pattern Analysis I training in Colorado Springs, CO
- F. Police – Permission for one (1) employee to attend the Crime Scene Reconstruction I training in Colorado Springs, CO
- G. Police – Permission for one (1) employee to participate in the online Evidence Technician course
- H. Executive – Permission to attend the 33rd Annual Municipal Day in Santa Fe, NM

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.

None.

Period for Hearing Visitors

None.

Comments from Public Officials and Contracted Services

Chief Roberts stated that the State received 1 million Covid test kits to be spread throughout the State, Eddy County received 6000 of those 2000 are for Artesia to be given away. Two test kits are to be given with a total of 4 test per vehicle with the plan for February 9th from 1:00 – 3:00 pm. at JC Park having vehicles come in through the NE side so they can drive out. Chief Roberts would like to ask Council to be able to proceed with this plan without going through the usual request to set this up because of health risk issues and with also receiving this late. Mayor Miller stated if Council agrees to proceed with the distribution of test kits he would mention this on the radio tomorrow.

Councilor Rodriguez made a motion to direct staff to proceed with the distribution of test kits at JC Park. Second by Councilor Mariscal and upon vote, the motion passed 7-0.

Committee Reports:

- A. Budget and Finance - None.
- B. Personnel – None.
- C. Police and Fire – None.
- D. Planning (*Project Management, Code Enforcement, Permits and Inspections*) – None.
- E. Recreation – Recreation committee met last night and went over recreation centers, parks, programs and have begun distribution of recreation application packets.
- F. Infrastructure (Streets, Garage, Cemetery, Parks, Water, Wastewater, Solid Waste, Facility Maintenance) – Will have something on Item 14.
- G. Government – None.

Personnel

Human Resource Director Sandi Countryman stood for questions.

Public Safety

Police Department:

Police Chief Roberts stated that we had a lot of people in town including Carlsbad PD, ATF, FBI, Eddy County and including Artesia PD for a series of violent crime interdiction and prevention operations. One operation was done in Carlsbad several weeks ago then one in Artesia, then one will be done in Roswell and will keep going back and forth. The results of all working together and putting those causing crimes and ill-will in the community will be on notice that they will be teaming together along with the River Valley here and will be making themselves present to work hard on this. Chief Roberts spoke on the stats of the operation, they had a search warrant of a traffic stop that found drugs, they had consensual 16 search encounters, 30 traffic stops and wrote 12 citations. Roughly 3.4 grams of meth and 3 firearms were seized; 4 gang member validations; 5 State and 1 Federal arrest; APD had an arrest for the burglaries in Artesia which resulted in getting a little over \$5,000 and a gun back with charges of a successful operation.

Councilor Bratcher asked Chief Roberts if they have received the two vehicles. Chief Roberts replied that they are purchased and at the upfitters in Albuquerque; they will have them here in about the next six weeks.

Fire Department:

Fire Chief Hope greeted everyone, and then stood for questions.

Mayor Pro Tem Hill asked about the coordination of monoclonal treatments in the hospital.

Chief Hope replied it has changed with the update of monoclonal antibodies and are administering what they are allowed to get.

Councilor Mariscal asked how the hospital is doing with Covid. Chief Hope replied he is sure it is a struggle and busy. Council Moreau stated he could speak to this as he was at the hospital district board meeting the previous night; they stated they are working hard and stressed.

Community Development

Community Development Director Jim McGuire greeted the Mayor and Council and stated he doesn't have anything on the agenda.

Infrastructure

- A. *Consideration and approval of a resolution setting forth a policy for Woodbine Cemetery Columbarium Operations and Services and revising the schedule of fees to include Columbarium charges and description

Infrastructure Director Byron Landfair greeted the Mayor and Council. Byron spoke R-1779 Woodbine Cemetery Columbarium to amend cemetery rules to allow for operations and setting of rates services that have been approved; the schedule rates are in the packet.

Councilor Bratcher made a motion to approve R-1779 setting forth the policy for Woodbine Cemetery Columbarium operation and services and attached schedule with charges and descriptions. Second by Councilor Moreau and upon vote, the motion passed 7-0.

Mayor Miller asked if there were any questions and stated that he appreciates the cemetery boards work.

RESOLUTION 1779

Byron gave a couple of project update on the Freeman Loop line that they should be wrapping up and be out of there this week and doing some hydra testing and is hoping for some changes due the new upgrade. Twentieth Street construction is expected to start the first part of March and is a 12- month job that will be in there for a while. The construction will start on Twentieth to Grand broken up into four phases.

City Attorney

None.

City Clerk

A. *Budget Resolution

City Clerk/Treasurer Aubrey Hobson stated that we had the budget and finance committee meeting last week and Summer presented the request for the different departments; some of the figures for the final budget submission were different than what was presented. The Mayor and Aubrey took a look at the budget and what is in red are the figures that are different what was previously presented. Mayor Miller stated that they wanted to identify anything that was different from the committees change in description; some is minor or is changed in what the committee had and changed with classification to give a clear item. Aubrey stated that everything that is changed is in the red numbers and one of the things which was not discussed in the Mayor's Capital Outlay where we had told the Governor we might be able to come up with the million dollars that is not in the budget yet, we do know where want to take it from. Aubrey stated Summer did not want to put it in unless we got the grant and there will be another 2 million coming out.

Sandi stated that what she does not see in the budget is where Community Development has asked for another position of Code Enforcement Officer. Mayor Miller asked Aubrey if it would be alright to put it in with the two-million-dollar items after we get approval for budget

resolution and have the budget adjustment for the next meeting to show the funding. Aubrey was okay with this.

Councilor Rodriguez made a motion to approve budget R-1780 as described in the handout received. Second by Councilor Bratcher and upon vote, the motion passed 7-0.

RESOLUTION – 1780

Mayor Miller stated that we now have a motion to recognize that we can receive capital outlay funds for large city projects and infrastructure that the city would look at committing a million dollars from funds and that we have in the FRF fund available as well as having another payment next year that would exceed those amounts of commitment. Additionally, since we missed getting into the budget resolution the Code Enforcement Officer position that was talked about, which is looking at the Planning Administrator position that had been frozen then redirected to Code Enforcement II because of the need, if approved for the second position. Mayor Miller then asked if there were any questions or discussion.

Councilor Rodriguez made a motion to approve the commitment of two one-million-dollar funding and the second position of Code Enforcement. Second by Councilor Mullen and upon vote, the motion passed 7-0.

Mayor

A. *Update on Capital Outlay

Mayor Miller Mayor Miller spoke on ICIP/Infrastructure Projects of what the city has requested from our legislative and Governor are our top 3 ICIP projects; this year the number 1 item was the new water well out by the tank on the westside of town that is about a million-and-a-half-dollar project that would take us about 9 months to get the permits, design and everything done, the capital outlay that's received takes longer. Our second item request is major reconstruction of 26th Street from Hermosa to Grand, it's anticipated that this project would be about six million dollars. The third project is our East Hermosa major artery reconstruction which is anticipated to be about five million dollars in cost from 13th to 1st Street on Hermosa; it is anticipated to be completed by December.

B. Executive session: In accordance with the State of New Mexico Open Meetings Act, Section 10-15-1-(H)(2):

1. Limited personnel matters – Infrastructure Department

5:18 p.m. Councilor Rodriguez made a motion to go into executive session to discuss Capital Outlay and limited personnel matters in accordance with the State of New Mexico Open Meeting Act. Second by Councilor Hagelstein and upon rollcall vote, the motion passed 7-0.

C. Action as a result of executive session

5:21 p.m. Councilor Rodriguez made a motion to come out of executive session no action was taken. Second by Councilor Hagelstein and upon vote, the motion passed 7-0.

Councilor Rodriguez made a motion to accept the resignation of an employee for job abandonment. Second by Councilor Hagelstein and upon vote, the motion passed 7-0.

New or other business from Councilors

Councilors Hagelstein expressed his great appreciation for Aubrey and all his time of service; wishes him the best. As well Councilor Mullen wished Aubrey his best.

Councilor Moreau thanked the Cub Scouts for coming out and helping with the pledge; it was a great joy.

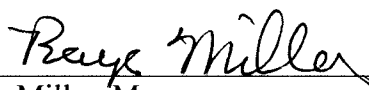
Councilor Rodriguez thanked everyone for coming out and stated that it was a pleasure having the Cub Scouts, congratulated Aubrey on his retirement. Then thanked all the candidates for attending the meeting appreciates them and wished them the best of luck. Also, thanking the Mayor for the good job he has done.

Mayor Pro Tem Hill appreciates all the work everyone on Council does and wished the new candidate's good luck, then stated the Mayor and Aubrey has done an outstanding job. Wished Aubrey the best and appreciates the Mayor leadership.

Councilor Mariscal appreciates the Mayor and the good job he has done. Also, stated Aubrey has done a good job and wished him the best.

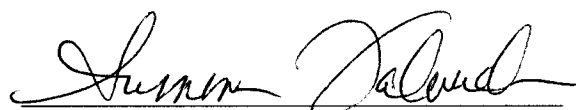
Adjournment

There being no further business, the meeting was adjourned at 6:00 p.m. On January 25, 2022.



Raye Miller, Mayor

ATTEST:



Summer Valverde - City Clerk/Treasurer