

**MINUTES OF CITY COUNCIL MEETING  
ARTESIA, NEW MEXICO  
January 23<sup>rd</sup>, 2018**

The City Council of the City of Artesia, New Mexico met in the City Council Chambers at City Hall on Tuesday, January 23<sup>rd</sup>, 2018 at 6:00 p.m. in regular session with Mayor Phillip Burch presiding, and the following present to wit:

Kent Bratcher	Luis Florez
Bill Rogers	Raul Rodriguez
Manuel Madrid Jr.	Terry Hill

The following were absent:

Jeff Youtsey  
Nora Sanchez

Also present:

John Caraway, 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.

**Consent Agenda**

Councilor Rodriguez moved to approve the consent agenda, seconded by Mayor Protem Hill and upon vote, the motion passed 6-0.

The consent agenda includes:

**CONSENT AGENDA  
January 23, 2018**

1. **Approval of Minutes:** \* January 9, 2018
2. **Consideration of Bids:**
3. **Contracts, Leases and Agreements:**
4. **Appointments:**
5. **Resignations:**
  - A. **Accept the resignation of Darcee Colwell, Firefighter, effective January 29, 2018**
6. **Dates of Hearing:**
  - A. **Approval to set a public hearing for February 13, 2018 for consideration of Case 18-01- Home Business (Occupation) License-Accounting practice 2406 Sierra Vista Road. Owner/Applicant- Chris Pruitt C.P.A.**
  - B. **Approval to set a public hearing for February 13, 2018 for consideration of the title and subject matter (Per State Statue 3-17-3.A.) of an Ordinance to amend Chapters 1, 2 and 11 of Section 9 of Artesia City Code**
  - C. **Approval to set a public hearing for February 13, 2018 for consideration of an ordinance amending Sections 7-1-2 A and 7-1-2 B (Water Rates) of the Artesia Municipal Code**

D. Approval to set a public hearing for February 13, 2018 for consideration of an ordinance amending 7-1-2-1 (Service Outside the City Limits - specifically residents of Paris and York) of the Artesia Municipal Code

7. \*Travel and Training:

A. Police – Ratification of Mayor Burch’s approval for eight (8) employees to attend the Crash Report training in Artesia, NM

B. Fire – Permission for one (1) employee to attend Fire Officer II training in Rio Rancho, NM

C. Fire – Permission for one (1) employee to attend the Statewide EMS Advisory Committee meeting in Santa Fe, NM

D. Planning – Ratification of Mayor Burch’s approval for one (1) employee to attend the Code Adoption training in Albuquerque, NM.

E. Fire – Ratification of Mayor Burch’s approval for one (1) employee to attend the NMFTA Fire Officer I training in Socorro, NM

F. Water – Permission for one (1) employee to attend the NMED Water System Sampler Certification training in Mesilla, NM

G. Water – Permission for one (1) employee to attend 2018 Utility Operator Certification Exam in Albuquerque, NM

H. Police – Permission for one (1) employee to attend the Local Government Leadership Program in Santa Fe, NM and Albuquerque, NM

I. Police – Permission for one (1) employee to attend the Active Shooter Threat Instructor Training Program in Artesia, NM

J. Police – Permission for one (1) employee to attend the Instruct ethics, cultural diversity, suicide prevention and report writing training in Hobbs, NM

8. Routine Requests for City Facilities:

9 Budgeted Items:

10. Non-budgeted Items:

11. \*Payment of Bills

**Public Hearings**

- A. Consideration and approval of Case No. 17-05 Vacation of five (5) feet of public Right-of-Way along the east side of the 100 Block of South Eleventh Street  
Legal Description- Public right-of-way between Blocks 1 and 2 of Forest Hill Addition  
Requestors- Wendtesia LLC and Artesia Public School District  
Right-of-way owner -City of Artesia.

Mr. Jim McGuire, Community Development Director presented a request by Wendtesia LLC and Artesia Public School Distract to Vacate five (5) feet of the public right away on East Side of 100 Block of S 11<sup>th</sup> Street, which has 55 feet right of way, normal right of way is 50 feet. There are 5-foot sidewalks on both side of the streets. Presently 11<sup>th</sup> Street is 30 feet wide, with restricted on street parking. No utilities are located in the proposed 5-foot vacation area. The Planning and Zoning Commission reviewed this and recommend for approval.

Mayor Burch opened the Public Hearing for any public input.

Mrs. Margaret McCaleb lives on the West side of 11<sup>th</sup> and Main Street, and expressed her concerns for the project, she explained this will be a traffic hazard if cars are allowed to park on the East side for public parking and when the kids get out of school.

There was discussion regarding the site plan in reference to the entrance and exit of the business.

Several councilors addressed concerns regarding the traffic.

Mayor Burch suggested that the City help the public get accustomed to the new business.

Mayor Pro Tem Hill moved to approve the ordinance approving a Vacation of five (5) feet of public Right-of-Way along the east side of the 100 Block of South Eleventh Street. The motion was seconded by Councilor Madrid and with the following roll call votes recorded;

Yay: Councilors Bratcher, Madrid, Rodriguez, Rogers, Florez, Mayor Pro Tem Hill

Nay: None

the motion passed 6-0.

### **ORDINANCE NO. 1020**

B. Consideration and approval of Case No. 17-06 Street Name Change for the 1400 Block of South Runyan Avenue. Proposed new name "Adams Drive"

Legal Description- Public right-of-way between Lots 3-5 of Block 3 and Lots 10-12 of Block 4 of the Replat of the Correction Plat- West Acres Subdivision #7

Requestors- City Staff and Residents

Right-of-way owner -City of Artesia

Mr. Jim McGuire, Community Development Director explained this was an area of confusion, because the City has two (2) 1400 blocks of Runyan. One is 1400 West and the other is 1400 South, there have been emergency situations where there has been confusion on which block to go to. The proposal is to change the name of the street, while the house numbers remain the same. The proposed new street name is "Adams Drive".

The Planning and Zoning Commission recommended approval. The property owners and businesses have been notified of the change.

Mayor Burch opened the Public Hearing for any public input.

Kristina Camp expressed that they are all very excited about the name change.

Councilor Bratcher moved to approve the ordinance approving Street Name Change for the 1400 Block of South Runyan Avenue. Proposed new name "Adams Drive". The motion was seconded by Councilor Florez and with the following roll call votes recorded;

Yay: Councilors Rodriguez, Bratcher, Madrid, Rogers, Florez, Mayor Pro Tem Hill

Nay: None

the motion passed 6-0.

### **ORDINANCE NO. 1021**

### **Period for Hearing Visitors**

Mr. Ignacio Marisol discussed parking on Mahone Drive.

Delia Cortez-Collier discussed parking and traffic speed on Mahone Drive.

### **Mayor:**

Councilor Rogers made a motion to move item 16A Consideration and approval of the Artesia Aquatic Center Property Development and Operation MOU with the Artesia Aquatic Center Foundation (AAC) to this point in the Agenda, seconded by Councilor Bratcher. Upon vote motion passed 6-0.

Mayor Burch explained that item 16A was the consideration and approval of the Artesia Aquatic Center Property Development and operation with the Artesia Aquatic Center Foundation. This is an agreement between the City of Artesia and the Center Foundation.

Mayor Pro Tem Hill presented concerns regarding the budget and operations.

Councilor Rogers explained this project will not have an impact on the current budget. It will impact the 2018-2019 budget.

Mayor Burch explained it will only affect the second half of the 2018-2019 budget.

Mayor Pro Tem Hill ask if the City will be responsible for the infrastructure, operations, and maintenance.

Mayor Burch explained that is correct.

Mayor Burch explained GRT has been positive as it is starting to reflect a healthy economy, we have an opportunity right now that he believes we will never have again.

Councilor Bratcher moved to approve the agreement between the City of Artesia and the Artesia Center Foundation. The motion was seconded by Councilor Rogers and upon vote the motion passed 5-1 (Mayor Pro Tem Hill voting nay).

Mayor Burch introduced Johnny Knorr, Sandra Borges, Jose Zeyala and Peyton Yates. He thanked them for their work on the agreement.

Johnny Knorr thanked Mayor Burch for his support, with everybody's cooperation we will get the project done.

Peyton Yates expressed that he is excited about this project, explaining that it will better the Artesia Community.



Sandra Borges expressed that she appreciates all the support and that she is excited about the project and thanked Councilor Florez and Mayor Burch for their assistance.

Jose Zeyala explained that a portion of the \$368,000 is being saved to replace the pool in the future and typically you can see a return of investment from revenues of up to 40%.

Mayor Burch explained he visited yesterday with the county Manager to discuss the project, and indicated to them they should be a part of the project. He agreed with them on a date to present this to the County Commission.

Mayor Burch and the Council directed staff to write a letter for the Mayor's signature requesting their support for this project.

### **Committee Reports:**

#### **Recreation:**

Councilor Rodriguez explained they had a meeting and discussed Recreational items, they are starting the budget process.

Councilor Rodriguez is accepting recommendations for new board members. Dave Boneau is retiring from the board-he would like to recognize Dave Boneau for his accomplishments. Three board members terms will be expiring in January two in March and one in July. He recommended speaking to the Mayor if anyone would like to serve on the board.

### **Personnel**

#### **A. Hiring**

1. Councilor Rodriguez moved, upon recommendation of the Mayor, to hire Mario Munoz to the position of Equipment Operator 1, Street Department, at a salary of \$ 2482 per month (CA22), subject to the successful completion of required pre-employment testing. The motion was seconded by Mayor Pro Tem Hill. Upon vote, the motion passed 5-0 (Councilor Rogers left the meeting at 7:14 pm)

2. Councilor Rodriguez moved, upon recommendation of the Mayor, to hire Mike Perez for the position of Technician, Water Department, at a salary of \$ 2363 per month (CA20), subject to the successful completion of required pre-employment testing. The motion was seconded by Mayor Pro Tem Hill. Upon vote, the motion passed 5-0-(Councilor Rogers absent)

Councilor Rogers returned to the meeting at 7:17 pm.

#### **C. Openings**

Mayor Pro Tem Hill moved to advertise and fill the position of:

##### **1. Firefighter**

The motion was seconded by Councilor Rodriguez and upon vote, the motion passed 6-0.

Director Countryman presented the Councilors with current staffing levels, she explained that the only other people that are not represented on there are the Elected Officials. She stood for questions.

### **Public Safety**

#### **Police**

Chief Kirk Roberts presented stats and stood for questions.

Councilor Batcher expressed an observation to Bryon Landfair and Chief Kirk Roberts about the lighting and traffic for Bulldog Drive. He would like Byron Landfair and Luis Florez to contact the Artesia School about his concern.

Chief Kirk Roberts would recommend for large events to assign a Community Service Officer to direct traffic.

Mayor Pro Tem Hill expressed his concern about traffic accidents from Main Street to 26<sup>th</sup> Street.

Chief Kirk Roberts explained coverage for patrol of this area is a staffing problem.

Mayor Burch stated Bryon Landfair presented to him a maintenance agreement for a traffic signal light for the intersection of Hermosa & 1<sup>st</sup> Street.

Chief Kirk Roberts thanked the Mayor and City Council.

#### **Fire**

Chief Kevin Hope stood for questions.

### **Community Development**

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

### **Infrastructure Department**

Infrastructure Director Byron Landfair gave updates on projects and stood for questions.

#### **City Attorney**

City Attorney John Caraway stood for questions.

#### **City Clerk**

- A. Submittal of list for records destruction (informational item only)

City Clerk Aubrey Hobson stated in the Councilors packet there was a records destruction list.

B. Consideration and approval of mid-year budget resolution.

Mayor Burch asked the City Council to add on the budget 3 lawn mowers for a total of \$140,000.

Councilor Rodriguez moved to approve the mid-year budget resolution. The motion was seconded by Councilor Rogers and upon vote, the motion passed 6-0.

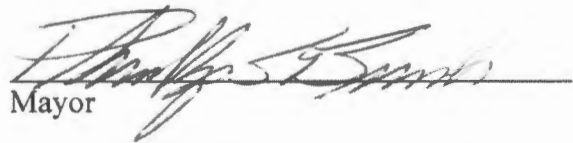
**RESOLUTION #1654**

Approval of list of precinct workers and payment for the March 6, 2018 election.

Clerk Hobson presented a list of poll workers and their compensation.

**New or other business from Councilors**

Councilor Rodriguez reminded everyone about District Basketball starts on Friday night 1/26/18. There being no further business, the meeting was adjourned at 7:18 pm on January 23<sup>rd</sup>, 2018.

  
Mayor

ATTEST:

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City Clerk

