

**REGULAR MEETING OF THE CITY COMMISSION
MONDAY, OCTOBER 26, 2015 @ 5:30 P.M.
CITY COMMISSION CHAMBERS, 214 S. LOVE STREET**

Call to Order: The meeting was called to order by Mayor Pro-Tem Bengé at 5:30 p.m.

Present and answering roll call: Mayor Pro-Tem Bengé, Commissioner Trujillo, Commissioner Butcher, and Commissioner Campos

Also Present: City Manager James Williams, City Attorney Patrick McMahon, Police Chief David Rodriguez, Finance Director Gary Chapman, Code Enforcement Laura Brock and Administrative Assistant Anna Juarez

Invocation: Commissioner Trujillo gave the invocation.

Pledge of Allegiance: Commissioner Trujillo led the pledge.

Approval of Agenda: Mayor Pro-Tem Bengé called for a motion. Commissioner Campos so moved to approve the agenda as submitted. Commissioner Butcher seconded and a roll call was taken: Commissioner Trujillo – Yes, Commissioner Butcher – Yes, Commissioner Campos - Yes, and Mayor Pro-Tem Bengé – Yes.

Approval of the Regular Meeting Minutes of October 12, 2015: Mayor Pro-Tem Bengé called for a motion. Commissioner Trujillo so moved to approve the regular meeting minutes of October 12, 2015; Commissioner Campos seconded. Roll call was taken: Commissioner Butcher – Yes, Commissioner Campos – Yes, Mayor Pro-Tem Bengé – Yes, and Commissioner Trujillo – Yes.

COMMISSIONER AND STAFF REPORTS:

- Code Enforcement stated she attended Keep America Beautiful training in Roswell; next training is on December 2, 2015 from 8 am – 12 am.
- Mayor Pro-Tem Bengé asked about City Clerk Carol Ann Hogue surgery; City Manager Williams stated she was released today and is doing well.
- Mayor Pro-Tem Bengé stated Lions Club had excellent enchiladas on Sunday, it's a great program and hopefully enough money was raised.
- City Manager Williams asked Commissioners to attend Special Joint Meeting at the Lea County Event Center at 6 p.m. on Thursday, October 29, 2015 for presentation of County Census update; public is invited to attend and ask questions. Chief Rodriguez and City Manager Williams will be absent for next Commission Meeting on November 9, 2015, they will be attending a Risk Management Class, which Travelers Insurance is encouraging them to attend.

PROCLAMATIONS:

Proclamation 201506: American Diabetes Awareness Month: Mayor Pro-Tem Bengé read proclamation with a correction of change in date.

NON-ACTION ITEMS:

Discussion of Youth Center Board Appointments: City Manager Williams informed the Commissioners of youth center board membership of NM Code of Ordinances; City's recommendation is to open up two board seats and appoint the Superintendent and Principal as ex-officio members of the Board. The two positions will be advertised. Discussion only, no action was taken.

Quarterly Financial Report: Finance Director Chapman informed Commissioners of first quarter Financial Report of Fiscal Year 2015-16. Finance Director Chapman stated revenues are doing better than projected. Finance Director Chapman stated Gas Tax \$23,873 negative amount is due to estimate being slightly higher than projected. Finance Director Chapman stated Hold Harmless fees in the amount of \$143,000 were taken out for the cost of issuance of bonds. Finance Director Chapman discussed budget for first quarter, general fund revenues, and general fund expenditures. Discussion only, no action was taken.

Discussion of Citizen Engagement Tools: City Manager Williams informed Commissioners of an app to increase citizen engagement within City of Lovington. SeeClickFix app will help citizens report potholes, weed issues, abandoned vehicles, etc. City Manager Williams stated app will generate staff and citizen reports, will map concentration of issues, and will help to better communicate with citizens. City Manager Williams stated app will communicate to citizens status of work order; citizens can comment, and citizens will be updated on work order. City Manager Williams stated Facility Dude would be replaced with SeeClickFix; cost of Facility Dude is \$2500 annually and cost of SeeClickFix is \$6 to \$7 thousand annually. Commissioners discussed district subdivision mapping, cost effectiveness, and staff accountability. Commissioners discussed issues with other cities, concerns with database affecting opinion of City of Lovington, concerns with resources to deal with complaints, and concerns with abusers. Commissioners recommended looking at another software and comparison with City of Albuquerque responses and how accountability is handled. Discussion only, no action was taken.

Discussion of Splash Pad and Playground Equipment Projects: City Manager Williams informed Commissioners of citizen survey used for public input on which features to purchase for the Chaparral Park; budgeted amount is \$200,000 through a state contract from GameTime. City Manager Williams stated 637 citizens have taken survey; survey will be closed at 12 midnight on October 31, 2015. City Manager Williams stated if order is placed before November 15, 2015, GameTime will match order 100%, but it does not include installation cost of \$50,000 and any exercise equipment or obstacle course. City Manager Williams stated on November 3, 2015, Parks and Recreation Board

will meet and pick a design to proceed with ordering. City Manager Williams stated the budgeted \$200,000 for Splashpad project did not receive any response, which is not uncommon; City of Hobbs had same issue. City Manager Williams stated City will be going through a National Procurement Partners Contract; company presented to the Parks & Recreation Board two options to consider which are the:

- Water Management Systems – Flow through: user touches the Activator, sending a signal to the Command Center. The Command Center releases water to the play products based on preset sequences and timing. Water passes through the Drain and becomes effluent water. Effluent water can: 1. Drain into municipal sewer system or 2. Be captured and repurposed.
- Water Management Systems – Recirculation: user touches the Activator, sending a signal to the Command Center. The Command Center releases water to the play products based on preset sequences and timing. Water passes through the Debris Trap and Drain. Water is then disinfected and sanitized by the WQMS before being distributed once again to the play features.
- Capital Cost Budgeting and Budgeting Operating Cost was discussed
- Option 1 Splash Pad Design Included: Shade Structure, Directional Water Jets, Foaming Geyser, Ground Geyser, Jet Streams, Frog, Snail, Aqualien Power Flower, Flowers, Spray Loop, and Playsafe drain. (total water flow 127.5 GPM)
 - Cost for Flow Through: \$228,000.00
 - Cost for WQMS: \$310,000.00
- Option 2 Splash Pad Design Included: Shade Structure, Bollard Activator, Fountain Spray, Ground Geyser, Loops, Spidey spray, Sunspray, Team Spray, Tricky Bells, Water Tunnels, Waterbug, Rainbow, Silhouette, and Playsafe. (total water flow 177 GPM)
 - Cost for Flow Through: \$218,000.00
 - Cost for WQMS: \$300,000.00

City Manager Williams will be at the Halloween on the Plaza encouraging children to vote on Splashpad options, but the project budget will need to be adjusted. City Manager Williams stated recommendation to go with WQMS feature, which is a \$100,000 increase to project. Commissioners asked about warranty and vandalism of equipment; City Manager Williams will follow up with the City of Hobbs to see what issues or vandalism they have had. Commissioner Trujillo stated he is in favor of the WQMS feature. City Manager Williams stated City Attorney McMahon will review Splashpad contract prior to November 23, 2015 Commission meeting. Discussion only, no action was taken.

ACTION ITEMS:

Consider Approval of Ordinance No. 538: Changing Zoning Classification from Zone A – Single Family to Zone B – Multiple Family for 4 lots adjacent to and north of the Morningside Addition to the City of Lovington (800 and 900 Block of East Monroe): Mayor Pro-Tem Benge called for a motion. Commissioner Trujillo so moved to consider Approval of Ordinance No. 538: Changing Zoning Classification from Zone A – Single

Family to Zone B – Multiple Family for 4 lots adjacent to and north of the Morningside Addition to the City of Lovington (800 and 900 Block of East Monroe); Commissioner Butcher seconded. City Manager Williams addressed Commissioners of zoning change of from Zone A – Single Family to Zone B – Multiple Family for neighborhood conformance as recommended by the Planning and Zoning Commission on September 15, 2015. There being no further discussion, a roll call was taken: Commissioner Campos – Yes, Mayor Pro-Tem Bengé – Yes, Commissioner Trujillo – Yes, and Commissioner Butcher – Yes. Motion was approved.

Consider Approval of Ordinance No. 539: Uniform Traffic Ordinance Amendments: Mayor Pro-Tem Bengé called for a motion. Commissioner Butcher so moved to consider Approval of Ordinance No. 539: Uniform Traffic Ordinance Amendments; Commissioner Campos seconded. City Manager Williams addressed Commissioners of Ordinance No. 539 will adopt the changes made to the New Mexico Uniform Traffic Ordinance for July 1, 2015 by reference. There being no further discussion, a roll call was taken: Mayor Pro-Tem Bengé – Yes, Commissioner Trujillo – Yes, Commissioner Butcher – Yes, and Commissioner Campos – Yes. Motion was approved.

Consider Resolution 2015-96: Non-Metro Area Agency on Aging Contracts: Mayor Pro-Tem Bengé called for a motion. Commissioner Butcher so moved to consider Resolution 2015-96: Non-Metro Area Agency on Aging Contracts; Commissioner Campos seconded. City Manager Williams informed Commissioners of Resolution 2015-96 which will authorize the Mayor to sign contracts with the Non-Metro Area Agency on Aging. These contracts allow the City to receive funding for Senior Citizens meals and activities; contract is renewed annually. There being no further discussion, a roll call was taken: Commissioner Butcher – Yes, Commissioner Campos – Yes, Mayor Pro-Tem Bengé – Yes, Commissioner Trujillo – Yes. Motion was approved.

Consider Resolution to approve Variance at 307 E. Avenue C: Gravel Driveway for Carport: Mayor Pro-Tem Bengé called for a motion. Commissioner Trujillo so moved to consider resolution 2015-97 to approve Variance at 307 E. Avenue C: Gravel Driveway for Carport; Commissioner Campos seconded. City Manager Williams stated the property owner located at 307 East Avenue C is requesting that a 62 foot by 20 foot wide gravel driveway to be allowed, instead of a concrete driveway; on the condition that the first ten feet of the driveway be constructed of an all-weather surface of a compacted caliche base with asphalt surface treatment or six inch concrete slab apron. The Planning and Zoning Commission recommended approval at the October 13, 2015 meeting. There being no further discussion, a roll call was taken: Commissioner Butcher – Yes, Commissioner Campos – Yes, Mayor Pro-Tem Bengé – Yes, and Commissioner Trujillo – Yes. Motion was approved.

Consider Resolution to approve City School Zone Improvements: Mayor Pro-Tem Bengé called for a motion. Commissioner Trujillo so moved to consider resolution 2015-98 to approve City School Zone Improvements; Commissioner Butcher seconded. City

Manager Williams provided a presentation reviewing the plan and recommendations requiring improvements from both the City and the School District due to issues with traffic. City Manager Williams discussed congestion areas in schools districts, drop off/pick up lanes, signage options, state building permitting, and staggering of school start and dismissal times.

City Improvements Recommendation for Ben Alexander:

1. Relocate the southbound stop sign on 6th Street approximately 20 feet to the north to the outlet of the school built pick-up/drop-off lane.
2. Establish a no parking zone on the eastern side of 6th street from Avenue N to approximately 20 feet to the north that would coincide with the expanded signed intersection. This measure would increase intersection visibility.
3. Eliminate the north east-to-west crosswalk at the intersection of Avenue N and 6th street. The southeast-to-west crosswalk would remain.

City Improvements Recommendation for Lea:

1. Remove crosswalk on Birch that is between the south entrance and alley.
2. Remove no parking signs and curb painting for “No Parking” area on Birch Street since the area use has changed

City Improvements Recommendation for Llano:

1. Provide way-finding signs to crosswalks on 2nd Street.
2. Create a four-way stop intersection at 1st and Avenue J.
3. **Additional Alternative:** To facilitate traffic flow, Avenue I from Main Street to 1st Street would be changed to a one-way street, with traffic flow directed to run east to west. In addition, 1st Street between Avenue I and Avenue J would be changed to a one-way street, with traffic flow directed to run north to south. Changing the flow of traffic would allow for two lanes of travel to be created. At the intersection of Avenue J and 1st, individuals in the east lane would be required to turn east and west lane traffic would be required to turn west or proceed south onto 1st Street. This intersection could be enhanced with a traffic island to force this type of turning and traffic flow at the intersection. This measure would be very drastic and require multiple public hearings and notifications prior to it becoming effective. This measure would have a direct impact on two businesses (Klean Machine and Peanuts Custom Shop) and 6 private residences.

City Improvements Recommendation for Taylor:

1. Create a 3-way stop intersection at Avenue F and 11th Street.
2. Install new crosswalks and signage at the inlet and outlets of June Place and 11th Street.

3. Convert June Place into a one-way street. Entrance to the street would occur from the south and exit from the north. The exit from the street would be limited to a right turn only, facilitated by signage and curbing. The immediate impact from this change would be to four private residences and would require public hearings and notifications.

City Manager Williams recommended for Commissioners to approve the City Improvements and changes as written in resolution. Changes will not take place until 30 days to allow for public notice; cost per sign is about \$100-\$200. Commissioners and Staff discussed temporary signage versus permanent, liabilities concerns, and safety issues. Tabitha Lawson asked if Jefferson School will be evaluated next; City Manager Williams stated yes, it will be next on the list. Robbie Roberts asked if stop sign could be during school times only; City Attorney stated he would like to see a study to look at potential risk before considering temporary signage. There being no further discussion, a roll call was taken: Commissioner Campos – Yes, Mayor Pro-Tem Bengé – Yes, Commissioner Trujillo – Yes, and Commissioner Butcher – Yes. Motion was approved.

Consider Approval of Accounts Payable: Mayor Pro-Tem Bengé called for a motion. Commissioner Trujillo so moved to approve the accounts payable; Commissioner Campos second. There being no further discussion, a roll call was taken: Mayor Pro-Tem Bengé – Yes, Commissioner Trujillo – Yes, Commissioner Butcher – Yes, and Commissioner Campos – Yes. Motion was approved.

PUBLIC COMMENT:

Mayor Pro-Tem Bengé acknowledged and congratulated City's new Public Works Director Wyatt Duncan.

Tabitha Lawson, Executive Director of MainStreet and Secretary of Lea Community Foundation for the Arts, invited everyone to the 5th Annual Halloween on the Plaza Event on Saturday, October 31, 2015 from 4-6 p.m. and the Lea Theater is showing first movie "Hotel Transylvania 2" in 3D on October 30, 2015 at 7 p.m. Mrs. Lawson stated every weekend theater will be showing movies Friday, Saturday and Sunday; cost for matinee is \$6, children and seniors \$6.00, adults \$7.00 and fee for 3D glasses is \$2.00. Mrs. Lawson stated 3D glasses are not reusable. Mayor Pro-Tem Bengé stated the Lea Theater has great quality surround sound compared to Allen Theater in Hobbs. Commissioner Campos asked if 3D glasses could be donated to school for projects; Mrs. Lawson stated she will check on specs and will contact a wholesaler, if not compatible. Commissioner Trujillo asked if contract with movie have guidelines; Mrs. Lawson stated yes and they are very strict.

CLOSED SESSION:

At 6:55 p.m., Commissioner Trujillo moved to adjourn the Regular Session and convene in Closed Session Pursuant to Section 10-15-1 NMSA 1978 Subsection H-8 regarding the purchase, acquisition, or disposition of real property or water rights – Disposition of City

Commercial Property. Commissioner Campos seconded, a roll call vote was taken: Commissioner Trujillo - Yes; Commissioner Butcher - Yes; Commissioner Campos – Yes; and Mayor Pro-Tem Bengé - Yes.

At 7:08 p.m., Commissioner Butcher so moved to adjourn the Closed Session and reconvene in Regular Session stating that matters discussed were limited only to those specified in the motion and no action was taken. Commissioner Campos seconded and a roll call vote was taken: Commissioner Butcher - Yes; Commissioner Campos - Yes; Mayor Pro-Tem Bengé – Yes; and Commissioner Trujillo - Yes.

OPENED SESSION:

Consider Award of RFP 102215 – Sale of Real Property: 2 lot parcel located on Southeastern corner of Jefferson Avenue and North Main Street: Mayor Pro-Tem Bengé called for a motion. Commissioner Trujillo so moved to consider Award of RFP 102215 – Sale of Real Property: 2 lot parcel located on Southeastern corner of Jefferson Avenue and North Main Street to Andres Arreola and Daniel Torres; Commissioner Campos seconded. There being no further discussion, a roll call was taken: Commissioner Campos – Yes, Mayor Pro-Tem Bengé – Yes, Commissioner Trujillo – Yes, and Commissioner Butcher – Yes. Motion was approved.

ADJOURNMENT: There being no further business, Mayor Pro-Tem Bengé adjourned, the meeting at 7:10 p.m.

APPROVED: _____
AVA BENGE, MAYOR PRO-TEM

ATTEST: _____
CAROL ANN HOGUE, CITY CLERK