

**REGULAR MEETING OF THE CITY COMMISSION  
MONDAY, MAY 23, 2016 @ 5:30 P.M.  
CITY COMMISSION CHAMBERS, 214 S. LOVE STREET**

**Call to Order:** The meeting was called to order by Mayor Campos at 5:30 p.m.

**Present and answering roll call:** Commissioner Gandy, Commissioner Trujillo, Commissioner Sanchez, Commissioner Butcher, and Mayor Campos

**Also Present:** City Attorney Patrick McMahon, Chief of Police David Rodriguez, City Clerk Carol Ann Hogue, Finance Director Gary Chapman, Planning and Zoning Coordinator Ball and Administrative Assistant Anna Juarez

**Invocation:** Commissioner Gandy gave the invocation.

**Pledge of Allegiance:** Commissioner Gandy led the pledge.

**Approval of Agenda:** Mayor Campos called for a motion. Commissioner Trujillo so moved to approve the agenda; Commissioner Butcher seconded. Motion carried unanimously.

**Approval of the Regular Meeting Minutes of May 9, 2016:** Mayor Campos called for a motion. Commissioner Trujillo so moved to approve the regular meeting minutes of May 9, 2016; Commissioner Gandy seconded. Motion carried unanimously.

**COMMISSIONER AND STAFF REPORTS:**

- Finance Director Chapman informed Commissioners of non-action item of discussion of Parks and Recreation board appointment of Marla Price term ending in June of 2016. Also, Sarbrina Autman representing Tyler Technology will be at City Hall for the next month teaching us how to use Incode software.

**NON-ACTION ITEMS:**

**Discussion of Parks and Recreation Board Appointment:** Finance Director Chapman informed Commissioners of expiring term of Marla Price on the Parks and Recreation board. Marla Price stated she would like to remain on the board and she is also an ETZ member. Discussion only, no action was taken.

**ACTION ITEMS:**

**Consider Resolution 2016-36: City Employee Retiree Healthcare Plan:** Mayor Campos called for a motion. Commissioner Trujillo so moved to consider Resolution 2016-36: City Employee Retiree Healthcare Plan; Commissioner Butcher seconded. Mayor Campos stated commission will need to make a motion to entertain one of the options. Commissioner Trujillo rescind motion to open up floor to discussion of the five options

for consideration; Commissioner Butcher seconded. Mayor Campos read the five options:

- Option 1: 85% of Current Plan for Age/Service and NMRHCA
- Option 2: 85% of Medicare Supplement for Age/Service and NMRHCA
- Option 3: 50% of Current Plan for Age/Service and NMRCHA
- Option 4: 50% of Medicare Supplement for Age/Service and NMRHCA
- Option 5: No retiree healthcare due to current economic conditions and the expenditure would have to be funded through reserves.

Commissioner Butcher stated he is for option #1 excellent plan; it is a great incentive for the employees of the City. Commissioner Sanchez stated none of these, but would favor an option for retiree to choose what he/she wants when he/she retires. Finance Director Chapman stated in the Medicare option the City is not only providing Medicare for the older retirees, the City is also given the option for the NMRHCA; current cost of \$146, 000 a year with a projection increase of \$172,000 a year in a 5 year time frame; cost is related to younger employees cost that would be participating in the NMRHCA. Commissioner Gandy stated he is for option #5 due to the current situation, even though City has some valued employees; the cost continues to go up and there is no way to recoup the money with increase of inflation. Commissioners and Finance Director Chapman discussed schools retirement benefits, employee contributions to Medicare, initial cost for rehiring an employee, and decline in GRT. Finance Director Chapman stated City Manager Williams decision was option #5 as recommended in the staff report. Mayor Campos stated he did not like the timing and is against dipping into the reserves because of resolution. According to survey the employees are in favor but the public is not. Mayor Campos called for a motion. Commissioner Trujillo so moved to consider Resolution 2016-36: City Employee Retiree Healthcare Plan Option #5; Commissioner Gandy seconded. There being no further discussion, Mayor Campos called for a roll call vote; Commissioner Gandy – Yes, Commissioner Trujillo – Yes, Commissioner Butcher – No, Commissioner Sanchez – Yes and Mayor Campos - Yes. Motion carried unanimously; Option #5: No retiree healthcare due to current economic conditions and the expenditure would have to be funded through reserves.

**Consider Resolution 2016-37: Amendment of City Fund Balance Reserve Policy:** City Attorney McMahon suggested based on the motion from the first action item for motion to vote “no” to keep everything clear. Mayor Campos called for a motion. Commissioner Trujillo so moved consider Resolution 2016-37: Amendment of City Fund Balance Reserve Policy to acknowledge a vote “No”; Commissioner Sanchez seconded. There being no further discussion, Mayor Campos called for a vote. Motion carried unanimously.

**Consider Resolution 2016-38: Approval of 2016 – 2017 Interim Budget:** Mayor Campos called for a motion. Commissioner Trujillo so moved to consider Resolution 2016-38: Approval of 2016 – 2017 Interim Budget; Commissioner Butcher seconded. Finance Director Chapman stated this is the same budget presented in the April Meeting with no changes; keeping cash reserves at 40% for the general fund and 25% for the enterprise

funds. There being no further discussion, Mayor Campos called for a vote. Motion carried unanimously.

**Consider Resolution 2016-39: Agreement between City and After School Adventures for Summer Adventures Program:** Mayor Campos called for a motion. Commissioner Gandy so moved to approve Resolution 2016-39: Agreement between City and After School Adventures for Summer Adventures Program; Commissioner Butcher seconded. Finance Director Chapman informed Commissioners of this program is a partnership between the City, After School Adventures, Lovington Schools, Nor-Lea Hospital and the J.F. Maddox Foundation. The City did receive a grant from the J.F. Maddox Foundation for this program. There being no further discussion, Mayor Campos called for a vote. Motion carried unanimously.

**Consider Resolution to approve the publishing and advertisement of an Ordinance to cause a zoning change from Zone D- Industrial to Zone C – Commercial for County Fair Addition, Blocks 5, 6, 7, and 8:** Mayor Campos called for a motion. Commissioner Butcher so moved to approve Resolution 2016-40 to approve the publishing and advertisement of an Ordinance to cause a zoning change from Zone D – Industrial to Zone C – Commercial for County Fair Addition, Blocks 5, 6, 7, and 8; Commissioner Trujillo seconded. Planning and Zoning Coordinator Ball informed Commissioners of Planning and Zoning recommended approval; this particular area was Commercial at one time. Planning and Zoning Coordinator Ball stated change of zoning will follow City's Comprehensive Plan; no objections during the Planning and Zoning Meeting. There being no further discussion, Mayor Campos called for a vote. Motion carried unanimously.

**Consider Resolution for Variance at 1828 N. 3<sup>rd</sup> Street for RV Park site requirements for structures within fifteen feet of an RV pad:** Mayor Campos called for a motion. Commissioner Trujillo so moved to consider resolution for variance at 1828 N. 3<sup>rd</sup> Street for RV Park site requirements for structures within fifteen feet of an RV pad; Commissioner Sanchez seconded. Planning and Zoning Coordinator Ball informed Commissioners of denial from Planning and Zoning Board because codes requires fifteen foot between an RV and any structure and for fire and safety reasons. Troy Chun, RV Park owner, stated the structure is 16x8, weather proof with panels, with AC/heating, and with a 4' open air porch; structure is used for kids to play and storage. Mayor Campos asked Planning and Zoning Coordinator Ball for any ideas to be in compliance; Planning and Zoning Coordinator Ball responded structure being moved to the adjacent lot would be the only way to be in compliance and ordinance has been in place since 1970's. Planning and Zoning Coordinator Ball explained slide out and extensions does not include structure; the extensions of RV's are the rollout patio or slide outs or mechanical pieces of an RV that actually slide out from the interior of RV. There being no further discussion, Mayor Campos called for a roll call vote; Commissioner Gandy – No, Commissioner Sanchez – No, Commissioner Butcher – No, Commissioner Trujillo – No and Mayor Campos - No. Motion did not carry.

**Consider Resolution for Variance at 500 E. Adams Drive for mobile home lot dimensions:** Mayor Campos called for a motion. Commissioner Trujillo so moved to approve resolution for variance at 500 E. Adams Drive for mobile home lot dimensions; Commissioner Gandy seconded. Planning and Zoning Coordinator Ball stated property is of appropriate size to allow for the placement of a mobile home; however, placement of a mobile home can still meet yard setback requirements. Planning and Zoning Coordinator Ball stated variance will remove the restriction of dimensions of lot size and the mobile home will not impair the vision around that corner; area is zoned B. Commissioner Trujillo amended motion to include Resolution 2016-41 for variance at 500 E. Adams Drive for mobile home lot dimensions; Commissioner Gandy seconded. There being no further discussion, Mayor Campos called for a vote. Motion carried unanimously.

**Consider Resolution for variance for Lots 1-24, Sunrise Addition for 21' front yard setback and 5' rear yard setback:** Mayor Campos called for a motion. Commissioner Gandy so moved to approve resolution 2016-42 for Lots 1-24, Sunrise Addition for 21' front yard setback and 5' rear yard setback; Commissioner Trujillo seconded. Planning and Zoning Coordinator Ball stated developers have a new construction company to construct new homes and in order to have a variety of homes for customers to choose from the lots, developers are requesting variance that will allow for a minimum of a 21' front yard setback and a minimum of 5' rear yard setback. David Gallegos with Ramirez and Son's, explained to Commissioners his reasons for variance request. Commissioner Gandy stated concerns with property owners not having enough space for parking 4 to 6 vehicles on the street; Mr. Gallegos responded this issue will be addressed with building a 2 car garage and/or increasing size of garage with the 5' setback. Planning and Zoning Coordinator Ball stated Planning and Zoning Commission did recommend approval contingent upon covenants stating that accessory buildings are not allowed if setback and distance requirements per City code are not met. There being no further discussion, Mayor Campos called for a vote. Motion carried unanimously.

**Consider Approval of Accounts Payable:** Mayor Campos called for a motion. Commissioner Sanchez so moved to approve the accounts payable; Commissioner Gandy second. There being no further discussion, Mayor Campos called for a vote. Motion carried unanimously.

**PUBLIC COMMENT:**

Joel Gomez and Kinney Kim asked Commissioners for permission to host an annual festival in memory of former Lovington resident Shaun Sanchez, who recently died, to help his children. Commissioners advised Mr. Gomez and Kim to follow up with City Manager Williams next week.

Finance Director Chapman informed Commissioners of results from survey to ban bags; 384 responses – 52% said “no” to ban.

**ADJOURNMENT:** There being no further business, Mayor Campos adjourned, the meeting at 6:22 p.m.

**APPROVED:** \_\_\_\_\_  
**PAUL CAMPOS, MAYOR**

**ATTEST:** \_\_\_\_\_  
**CAROL ANN HOGUE, CITY CLERK**