

**REGULAR MEETING OF THE CITY COMMISSION  
MONDAY, MARCH 28, 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 Butcher, Commissioner Sanchez, and Mayor Campos

**Also Present:** City Manager James Williams, City Attorney Patrick McMahon, Chief of Police David Rodriguez, City Clerk Carol Ann Hogue, Planning and Zoning Coordinator Crystal 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 March 14, 2016:** Mayor Campos called for a motion. Commissioner Butcher so moved to approve the regular meeting minutes of March 14, 2016; Commissioner Sanchez seconded. Motion carried unanimously.

**COMMISSIONER AND STAFF REPORTS:**

- Commissioner Butcher thanked City Manager Williams and Staff for cleaning up the City.
- Commissioner Gandy stated he has changed his email.
- Mayor Campos hoped everyone had a Happy Easter and a great weekend.
- Code Enforcement Supervisor Laura Brock informed Commissioners of:
  - Free Dump Day on April 16, 2016
  - Keep America Beautiful Projects/Meetings:
    - Beautification Day is April 30, 2016
    - Volunteers are to meet at the Museum at 8 A.M.; Lunch will be served
    - Volunteers are needed for the median project by the Hospital Keep America Beautiful meeting on Tuesday, March 29, 2016 at 5:30 P.M. at the town hall Museum
    - Invited Commissioners to be part of the KAB program
    - Stressed to Commissioners the importance on volunteering and participating with Keep America Beautiful Projects

- Elaine Vigil stated she is asking for monetary donations from businesses to help with KAB projects and will be asking churches for volunteers
  - Commissioner Sanchez stated to consider having more than one Cleanup day
- City Manager Williams informed Commissioners of:
  - The parking lot projects have begun and will be completed by May 2016
  - Commercial street project
    - In the process of finalizing the contractual agreement
    - Project to begin April 11, 2016 and commence July 15, 2016
    - Project cost of 1.2 million dollars
    - Project will run from Avenue D up to Van Buren on Commercial Street
    - Re-working drainage improvements
- Mayor Campos stated he is proud to read the information of FBI statistics, where the City of Lovington is named the safest city; thanks to Chief of Police, Chief of Fire, Staff and everyone involved with City of Lovington.

**NON-ACTION ITEMS:**

**Discussion of Radio System Memorandum of Agreement:** City Manager Williams asked Commissioners of any additional questions or concerns prior to the P25 800 MHz Radio System Memorandum agreement being finalized for approval. This MOA is a modification of a JPA the City entered into with the City of Hobbs and Lea County in 2007 for the maintenance and use of the county-wide radio system our public safety departments utilize. City Manager Williams stated the revised agreement updates the definitions of the current technology, includes the City of Jal, City of Eunice, the Village of Tatum, and the LCCA. City Manager Williams discussed the cost sharing of each entity for the operation and maintenance of the system. Police Chief Rodriguez commented system is reasonably priced; cost of system annually is \$27,750. Discussion only, no action was taken.

**Discussion of Condemnation of 203 West Avenue L, Lovington, NM:** Code Enforcement Officer Brock addressed Commissioners of fire damage to property at 203 West Avenue L and informed Commissioners of efforts to communicate with the property owners, Olivia and Raymond Garcia. Code Enforcement Officer Brock asked Commissioners for direction to move forward with condemnation of property; property taxes of \$681 as of April 2016. Evelyn Holguin stated the owner lives at 905 West Polk. City Attorney McMahan stated everything will be okay as long as the City condemns the right house concerning insurance coverage. Discussion only, no action was taken.

**ACTION ITEMS:**

**Consider Resolution 2016-22: Approval of Temporary Grant of Easement to Chevron MidContinent, L.P.:** Mayor Campos called for a motion. Commissioner Trujillo so moved to consider Resolution 2016-22: Approval of Temporary Grant of Easement to Chevron

MidContinent, L.P.; Commissioner Butcher seconded. City Manager Williams addressed Commissioners of Resolution 2016-22 which will authorize the Mayor and City Manager to execute the Temporary Grant of Easement between the City and Chevron MidContinent, L.P. City Manager Williams stated the easement is necessary for their company to maintain two of their existing water production wells and for the drilling, construction, and maintaining an additional water production well. All of these wells are utilizing water rights owned by Chevron. No water rights are being transferred from the City of Lovington; City will be compensated \$1,000 per well annually. There being no further discussion, Mayor Campos called for a vote. Motion carried unanimously.

**Consider Resolution 2016-23: Providing authority to approve NM Alcohol and Gaming Special Dispenser and Public Celebration Permits on behalf of the City:** Mayor Campos called for a motion. Commissioner Butcher so moved to consider Resolution 2016-23: Providing authority to approve NM Alcohol and Gaming Special Dispenser and Public Celebration Permits on behalf of the City; Commissioner Trujillo seconded. City Manager Williams stated resolution will authorize the City Manager to approve the process of approving Special Dispenser and Public Celebration permits issued by the New Mexico Alcohol and Gaming Division; so long as all Federal, State, and local laws, regulations and policies are adhered to by the applicant. City Manager Williams will report the approval of these permits to the City Commission at the first regular Commission Meeting after approval of the permit. There being no further discussion, Mayor Campos called for a vote. Motion carried unanimously.

**Consider a Resolution Approving a setback variance for Lot 14, Block 5, Love Addition to the City of Lovington, New Mexico (lot east of 710 W. Avenue C):** Mayor Campos called for a motion. Commissioner Butcher so moved to consider Resolution to approve setback variance for Lot 14, Block 5, Love Addition to the City of Lovington, New Mexico; Commissioner Trujillo seconded. Planning and Zoning Coordinator Crystal Ball stated this request was presented and given approval by the Planning and Zoning on March 15, 2016; the owner of the lot is requesting a variance to allow for a 1,500 square foot accessory building as well as allowing for the setback to be 46' (code requires 60'). Planning and Zoning Coordinator Ball stated the garage will be for a non-commercial use. Planning and Zoning Coordinator Ball recommended for the Commission to leave the 60' setback and not to allow for the variance. Commissioner Gandy encouraged the Commission to deny the action and follow the ordinance that is in place; the building has not been built and the variance is not needed, since there is not a hardship. Commissioner Gandy stated the building can be built 14' back without any difficulty and this will also help minimize traffic down the alleyway preventing tearing up the water lines, gas lines, and sewer lines. Commissioner Trujillo commented, building will not be an eye sore and owner should have the option to do so, it is their property. Darrel Eubank, owner of property for 50 years, stated the property agreement to the Love Addition stated he had to build garage back similar to City ordinance; Mr. Eubank stated building the garage back will not allow for backyard activities; such as gardening. Mr. Eubank commented he would like to have the option to use the alley without having to

back in and out. Mr. Eubank stated he would like to build even with the house, so it won't look goofy; garage will not affect the vision of traffic and garage will match the neighborhood. There being no further discussion, a roll call vote was taken to approve Resolution 2016-24: Commissioner Gandy – No, Commissioner Trujillo – Yes, Commissioner Butcher – Yes, Commissioner Sanchez – Yes, and Mayor Campos – Yes. Motion was approved.

**Consider a Resolution Approving Eddy Madison Subdivision:** Mayor Campos called for a motion. Commissioner Trujillo so moved to consider Resolution to approve Eddy Madison Subdivision; Commissioner Butcher seconded. Planning and Zoning Coordinator stated this request was presented and approved by the Planning and Zoning on March 15, 2016 and owners, after Planning and Zoning meeting, have decided to consider requesting a variance to allow for mobile homes in lots due to the lots being too small. Planning and Zoning Coordinator Ball asked Commissioners to table action item for the time being. Commissioner Trujillo rescinded his motion; Commissioner Butcher seconded. Commissioner Trujillo so moved to table action item until further notice; Commissioner Gandy seconded. 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 Butcher so moved to approve the accounts payable; Commissioner Sanchez second. There being no further discussion, Mayor Campos called for a vote. Motion carried unanimously.

**PUBLIC COMMENT:** Clint Laughrin addressed the Commissioners with a request to allow the schools to consider football teams to practice on the Lovington High School fields for the Grid Iron season; there is a need in the community.

**ADJOURNMENT:** There being no further business, Mayor Campos adjourned, the meeting at 6:05 p.m.

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

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