

CITY OF LOVINGTON
REGULAR MEETING OF THE CITY COMMISSION
MONDAY, APRIL 8, 2013 @ 5:30 P.M.
TO BE HELD AT 214 SOUTH LOVE STREET

AGENDA

Notice of this meeting has been given to the public in compliance with Section 10-15-4 NMSA 1978

OPEN MEETING

Call to Order
Roll Call
Invocation- Commissioner Granath
Pledge of Allegiance- Commissioner Granath
Approval of Agenda
Approval of the Regular Minutes March 25 & Called Minutes March 28, 2013 TAB 1

PROCLAMATIONS:

Proclamation 040813-01 -2013 Ladies Basketball State Champions TAB 2

NON-ACTION ITEMS:

Discussion of Parks and Recreation Board TAB 3
Discussion of Quarterly Financial Report TAB 4

ACTION ITEMS:

Consideration of Approval of Youth Center Board Appointment TAB 5
Consideration of Approval of Housing Authority Board Appointment TAB 6
Consideration of Approval of Variance at 722 W. Ave C for Operation of a
Beauty Salon TAB 7
Consideration of Approval of Accounts Payables TAB 8

PUBLIC COMMENT

CLOSED SESSION

Pursuant to Section 10-15-1 NMSA 1978, Subsection H-2, Regarding Limited TAB 9
Personnel Matters

ADJOURNMENT

If you are an individual with a disability who is in need of a reader, amplifier, qualified sign language interpreter, or any other form of auxiliary aid or service to attend or participate in the hearing or meeting, please contact the City Clerk at 575-396-2884 at least one week prior to the meeting or as soon as possible. Public documents, including the agenda and minutes, can be provided in various accessible formats. Please contact the City Clerk at 575-396-2884 if a summary or other type of accessible format is needed.

**REGULAR MEETING OF THE CITY COMMISSION
MONDAY, MARCH 25, 2013 @ 5:30 P.M.
CITY COMMISSION CHAMBERS, 214 S. LOVE STREET**

Present and answering roll call: Mayor Pro-Tem Gandy, Commissioners Trujillo, Benge, and Granath.

Not Present: Mayor Drummond

Also present: City Manager Williams, Chief of Police Bryant, City Attorney McMahon, City Clerk Hogue, Administrative Assistant Gutierrez and Finance Director Stephens.

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

Invocation: Commissioner Trujillo gave the invocation

Pledge of Allegiance: Commissioner Trujillo led the pledge

Approval of Agenda: Commissioner Trujillo made the motion to add a non-action item: Discussion of Youth Center Board Appointment-Herb Smith. Commissioner Granath seconded. Motion was approved.

Approval of the Regular Minutes of March 11, 2013: Mayor Pro-Tem Gandy asked for a motion for approval of the regular minutes of March 11, 2013. Commissioner Trujillo so moved. Commissioner Granath seconded. Motion was approved.

NON-ACTION ITEMS:

Discussion of Housing Authority Board Appointment: Committee submitted to reappoint Maria Rios to the Housing Authority Board for a five year term. No action was taken at this time. Consideration of approval will be on the next regular meeting.

Discussion of Vendor License Fees: City Clerk Hogue did some research to see if we were able to obtain GRT paid by vendors in our community. NM Taxation & Revenue did inform City Clerk Hogue that in order to obtain the information, we would have to have a release form signed by each vendor. Staff does agree that vendor fees should be increased and recommend a fee of at least \$2,500 annually. We would require a \$5,000 bond and written permission from the property owner of the location they wish to utilize. We also recommend a partial refund of the annual fee based on the amount of taxes paid on the goods sold in Lovington. In order to qualify for a refund of up to \$2,000 based on the amount of taxes paid. The current penalty for violation of the vendor ordinance is a fine of up to \$300 or imprisonment of up to 90 days, or by a combination of both. Mayor Pro-Tem Gandy and Commissioner Benge stated interest on the \$500 vendor license for 7 consecutive days and a mobile permit \$100 and a \$25 business license.

Discussion of Industrial Water Rates: City Manager Williams recommends the following items to be addressed, if favorable by the Commission:

- Amend Chapter 13.12 to include definitions for Residential, Commercial, and Industrial users.
- Develop an Industrial Water Rate II to include definition of this tier. A suggested definition is “customers who obtain service from the waterworks system of the City for use of such water off site of their principal place of business or from City of Lovington supply sites.”
- The Industrial Water Rate II would assess a fee of \$7.10 for the first 1,000 gallons and \$0.67 for each additional 100 gallons.
- Provide funding for and develop a water fill station at the Lovington Convenience Center. This will be presented at a future date and will be incorporated into the next fiscal year operating budget if the Commission finds this issue favorable.

The proposed rate structure would make the City competitive with other nearby municipalities. Commissioner Bengé stated that the City is stepping in the right direction.

Discussion of Windstream Internet Service: Commissioner Granath requested to discuss the internet services. Commissioner Bengé stated she was not happy with the service at Windstream. City Manager Williams called and complained to Windstream. They are working to get the services better. Two types of complaints with PRC are informal and formal. Each customer needs to call Windstream and complain.

Discussion of Legislative Session Update: City Manager Williams provided the Commission with an update on legislation from the recent 60 day session that wrapped up on March 16, 2013. A few bills are:

- **HB641**-This particular piece of legislation stands to have a significant impact on the City of Lovington. The expense will come in the form of a repeal of the hold harmless provisions for GRT on food and medical. The hold harmless provision will be phased in over the next fifteen years, with no “negative impact” to municipalities the first two years. In order to offset the loss, municipalities may enact a new local option called a “Hold Harmless GRT” of 3/8 % by ordinance.
- **SB60**-Severance Tax Bond Projects-Lovington awarded \$350,000 for radio read water meters. The original request was for \$450,000. I have been informed that if final award is given to the City, we will be able to complete the installation of 833 meters. We will still need to find funding for 1,100 meters in the approximate amount of \$462,000.
- **SB461**-This bill raises the minimum wage to \$8.50 per hour. It has passed and is waiting signature.
- **HB21**-This legislation amends the Open Meetings Act to require public bodies to make final agendas available from at least 24 hours prior to a meeting to 72 hours, except in the case of an emergency. It also adds the requirement that any public body taking action on an emergency matter must report the action and the nature of the emergency to the AGO within five days of that action. This bill did pass and is awaiting signature.
- **SB27**-This bill provides measures to change P.E.R.A. At present, City of Lovington has the Fire and Police Departments in this program, and will affect all

current members and retirees. The aim of this legislation is to reduce unfunded liabilities in the program. This bill passed and is awaiting signature. The following changes: Cost of Living Adjustment, Employee and Employer Contribution Rates, New Benefit Structure after July 1, 2013.

ACTION ITEMS:

Consideration of Approval of Equipment Use at Chaparral Park: Mayor Pro-Tem Gandy called for a motion to approve the equipment use at Chaparral Park. A certificate of liability was amended by the First Baptist Church insurance carrier to include the language “Activities will include a Bounce House and food and beverages.” A letter has been provided from their carrier specifically stating that this type of equipment is an acceptable activity. Commissioner Trujillo so moved. Commissioner Granath seconded. Motion was approved.

Consideration of Approval of County Display Board Agreement: Mayor Pro-Tem Gandy called for a motion to approve the display board agreement which specifies the City will be reimbursed up to \$50,000 for this project. The City may incur a small additional cost for materials and installation of the power and ethernet connection. The location the City has determined for the sign is on the north Main Street entrance to the Motor Vehicle Department. In addition, a sign for the MVD will be placed on the pole. Commissioner Granath so moved. Commissioner Benge seconded. Motion was approved.

Consideration of Approval of Public Fireworks Display Funding: Director RaeLynn Stuart of Chamber of Commerce addressed the Commissioners to request financial assistance of \$4,500 for the 2013 Fourth of July public fireworks display. The City has provided assistance in the past. Mayor Pro-Tem Gandy called for a motion to approve the public fireworks display funding for July 4, 2013. Commissioner Benge so moved. Commissioner Granath seconded. Motion was approved.

Consideration of Approval of Lodger’s Tax Request: City Manager Williams stated that the requests submitted to the committee were for a larger amount. The Committee has recommended the total amount of \$21,500 to be distributed as follow:

- Lovington MainStreet-\$10,000
- Lea County Museum-\$6,000
- Lovington USSSA Baseball League-\$1,000
- Chamber of Commerce-\$4,500

Mayor Pro-Tem Gandy called for a motion to approve the lodger’s tax requests. Commissioner Benge so moved. Commissioner Trujillo seconded. Motion was approved.

PUBLIC COMMENT:

-Linda Pritchett addressed the Commissioners stating that the City is still not getting taxes on the sold goods in Lovington from vendors.

-Pastor Danny Kirkpatrick from First Baptist Church addressed the Commissioners to thank them for allowing the Jumper on the volleyball court for their Easter Hunt on March 30, 2013 from 11:00a.m.-3:00p.m.

OTHER: City Manager Williams said:

- Picture and Dedication for Troy Harris will be in three weeks.
- An informal evaluation of the City Manager will be conducted on the next regular meeting per Mayor Drummond's request.
- A public hearing for Beer & Wine License on Thursday, March 28, 2013 @ 5:30p.m.
- Day of Service went well and Iris Garden also participated on 9th Street.
- Beautification Day will be on April 27, 2013.
- LadyCats Basketball Proclamation on the next regular meeting April 8, 2013.
- Assistant City Manager-Jared Cobb has been hired and will begin work April 29, 2013

ADJOURNMENT:

There being no further business the meeting adjourned at 6:20 p.m.

APPROVED: _____
SCOTTY GANDY, MAYOR PRO-TEM

ATTEST: _____
CAROL ANN HOGUE, CITY CLERK

CALLED MEETING OF THE CITY COMMISSION
THURSDAY, MARCH 28, 2013 @ 5:30 P.M.
CITY COMMISSION CHAMBERS, 214 S. LOVE STREET

Present and answering roll call: Mayor Pro-Tem Gandy, Commissioners Trujillo, Bengé, and Granath.

Also present: City Manager Williams, Chief of Police Bryant, City Attorney McMahon, City Clerk Hogue, Administrative Assistant Gutierrez, and Finance Director Stephens,

Not Present: Mayor Drummond

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

Invocation: Commissioner Bengé gave the invocation

Pledge of Allegiance: Commissioner Bengé led the pledge

Approval of Agenda: Mayor Pro-Tem Gandy asked for a motion to approve the agenda as submitted. Commissioner Trujillo so moved. Commissioner Bengé seconded. Motion carried unanimously.

ACTION ITEMS:

Consideration of Approval of Restaurant Beer and Wine License for Francisco J. Hernandez dba Taqueria Jalisco 928 W. Ave D, Lovington, NM: Mayor Pro-Tem Gandy called for a motion to approve the beer and wine license. Commissioner Trujillo so moved to approve motion and also stated that the documents were all in order. Commissioner Bengé seconded. Motion was approved.

PUBLIC COMMENT: None

ADJOURNMENT:

There being no further business the meeting adjourned at 5:40 p.m.

APPROVED: _____
SCOTTY GANDY, MAYOR PRO-TEM

ATTEST: _____
CAROL ANN HOGUE, CITY CLERK

CITY OF LOVINGTON
COMMISSION STAFF SUMMARY FORM



MEETING DATE: April 8, 2013

TYPE: RESOLUTION ORDINANCE PROCLAMATION INFORMATION OTHER ACTION

SUBJECT: Approval of 2013 Ladies Basketball Championship Proclamation
DEPARTMENT: Legislative
SUBMITTED BY: Dixie Drummond, Mayor
DATE SUBMITTED: April 1, 2013

STAFF SUMMARY:

The 2013 Lovington High School Ladies Varsity Basketball Team won its 2nd consecutive State Championship. The school and the team have been contacted and informed the City Commission wishes to honor them by presenting Proclamation 040813-01 at this Commission Meeting.

FISCAL IMPACT:

REVIEWED BY: _____
(Finance Director)

ATTACHMENTS:

Proclamation 040813-01

RECOMMENDATION:

Motion to approve

Department Head



City Manager



Proclamation

040813-01

Congratulating the 2013 Lovington Varsity Ladies Basketball Team

WHEREAS, Lovington High School is steeped in the tradition of excellence in all of its endeavors to prepare students for their future, and;

WHEREAS, the Lovington Wildcats Varsity Ladies Basketball Team is a major part of this tradition of excellence, and;

WHEREAS, the Lovington Schools field highly competitive and winning teams, and;

WHEREAS, Coach Chris Brattain and his staff have trained, developed, organized, and directed a winning basketball team that means a great deal to the citizens of Lovington, and;

WHEREAS, through dedication and hard work, the team defeated all pertinent competition to reach the pinnacle of New Mexico High School sports.

NOW, THEREFORE, I, Dixie Drummond, Mayor of Lovington, New Mexico do hereby proclaim at this April 8th, 2013 meeting of the Lovington City Commission that the Lovington Varsity Ladies Basketball Team are hereby honored and congratulated for winning its 2nd consecutive State Basketball Championship.

Dixie Drummond
Mayor

ATTEST:

Carol Ann Hogue
City Clerk

CITY OF LOVINGTON
COMMISSION STAFF SUMMARY FORM



MEETING DATE: April 8, 2013

TYPE: RESOLUTION ORDINANCE PROCLAMATION INFORMATION OTHER ACTION

SUBJECT: Discussion of Creating Parks and Recreation Committee
DEPARTMENT: Legislative
SUBMITTED BY: Neil Granath, Commissioner
DATE SUBMITTED: April 1, 2013

STAFF SUMMARY:

Commissioner Granath has requested we conduct a discussion regarding the creation of a Parks or Parks and Recreation Committee.

FISCAL IMPACT:

REVIEWED BY: _____

(Finance Director)

ATTACHMENTS:

RECOMMENDATION:

Discussion only.

Department Head



City Manager

CITY OF LOVINGTON
COMMISSION STAFF SUMMARY FORM



MEETING DATE: April 8, 2013

TYPE: RESOLUTION ORDINANCE PROCLAMATION INFORMATION OTHER ACTION

SUBJECT: Discussion of Quarterly Financial Report
DEPARTMENT: Finance
SUBMITTED BY: Mashelle Stephens
DATE SUBMITTED: April 3, 2013

STAFF SUMMARY:

Staff have prepared the Quarterly Financial Report for your review.

FISCAL IMPACT:

REVIEWED BY: Mashelle Stephens
(Finance Director)

ATTACHMENTS:

Quarterly Financial Report

RECOMMENDATION:

Discussion only.

Mashelle Stephens
Department Head

ARW
Qty Manager

City of Lovington (New)
 Summary Budget Comparison - Revenue report for commissioners
 From 3/1/2013 Through 3/31/2013

Account Code	Revenue Account Title	YTD Original		Current		YTD Actual		Projected Revenue for Fiscal Year		Additional Revenues available based on Projections		% Projected Revenue/Original Budget
		Budget	Period Actual	YTD Actual	Fiscal Year	Projections	Revenue/Original Budget					
101	General Fund											
31100	Taxes/Local-Franchise	180,000.00	9,023.13	163,060.62	212,779.13	32,779.13	118.21%					
31230	Taxes/LocalGRT: Desig Ec Devl	310,000.00	32,173.43	227,263.14	303,017.52	(6,982.48)	97.75%					
31240	Taxes/Local GRT-Infrastructure	310,000.00	32,173.43	277,263.17	369,684.23	59,684.23	119.25%					
31250	Taxes/Local-GRT:General	3,210,000.00	331,229.44	2,856,786.26	3,809,048.35	599,048.35	118.66%					
31500	Taxes/Local-Property:Current	312,689.00	4,489.97	228,349.05	304,465.40	(8,223.60)	97.37%					
31510	Taxes/Local-Property:Prior Year	18,000.00	555.21	13,240.89	17,654.52	(345.48)	98.08%					
32410	Taxes/State-GRT 1.225%	3,370,000.00	355,029.64	3,004,810.85	4,006,414.47	636,414.47	118.88%					
32610	Taxes/State-MVD:Reg (40&60)	16,000.00	1,480.22	14,596.46	19,461.95	3,461.95	121.64%					
33100	Animal License	100.00	3.00	3.00	4.00	(96.00)	4.00%					
33400	Business Licenses/Registration	8,000.00	1,700.00	9,697.50	12,930.00	4,930.00	161.63%					
33500	Liquor License	1,250.00	0.00	0.00	0.00	(1,250.00)	0.00%					
33900	Other Licenses & Permits	2,000.00	520.00	5,187.50	6,916.67	4,916.67	345.83%					
34010	Administrative Fees	125.00	7.00	114.00	152.00	27.00	121.60%					
34030	Animal Pound Fees	3,000.00	1,003.00	8,658.65	11,544.87	8,544.87	384.83%					
34060	Cemetery Fees	21,000.00	858.00	20,090.81	26,787.75	5,787.75	127.56%					
34110	MVD-Admn Fees for Offices	106,000.00	10,570.50	91,734.50	122,312.67	16,312.67	115.39%					
34150	Printing & Copying	11,000.00	1,295.14	10,898.20	14,530.93	3,530.93	132.10%					
34220	Swimming Pool Fees	23,000.00	0.00	12,332.99	16,443.99	(6,556.01)	71.50%					
34990	Other Charges for Services	75,000.00	6,112.00	51,087.25	68,116.33	(6,883.67)	90.82%					
35020	Court Fines-Other	140,000.00	9,008.00	77,352.00	103,136.00	(36,864.00)	73.67%					
35050	Library Fines	400.00	64.29	377.37	503.16	103.16	125.79%					
36010	Contributions/Donations	27,000.00	2,407.12	21,532.93	28,710.57	1,710.57	106.34%					
36020	Insurance Recoveries	0.00	516.82	126,035.67	126,035.67	126,035.67	0.00%					
36030	Investment Income	2,000.00	169.06	2,075.26	2,767.01	767.01	138.35%					
36040	Joint Powers Agreement	240,000.00	60,000.00	180,000.00	240,000.00	0.00	100.00%					
36050	Penalties	250.00	130.00	160.00	213.33	(36.67)	85.33%					
36060	Reimbursement/Refund	88,000.00	19,168.91	141,468.83	141,468.84	53,468.84	160.76%					
36070	Rent/Royalty/Leases	75,000.00	5,650.00	82,855.00	98,405.00	23,405.00	131.21%					
36090	Sales-Other	3,000.00	0.00	68,803.00	68,803.00	65,803.00	2293.43%					
36100	Vending/Concession	500.00	0.00	1,092.65	1,456.87	956.87	291.37%					
37070	Grant-State: D.W.I.	12,000.00	2,361.24	11,188.04	12,000.00	0.00	100.00%					
37140	Grant-State:Library	6,000.00	0.00	7,894.27	10,525.69	4,525.69	175.43%					

City of Lovington (New)
 Summary Budget Comparison - Revenue report for commissioners
 From 3/1/2013 Through 3/31/2013

Account Code	Revenue Account Title	YTD Original			Current			Additional		
		Budget	Period Actual	YTD Actual	Revenue for Fiscal Year	Projections based on	Revenues available	% Projected		
37228	Grant-State:MAP	0.00	0.00	221,936.00	221,936.00	221,936.00	0.00%			
37230	State: Other	0.00	0.00	3,200.00	3,200.00	3,200.00	0.00%			
37700	Grant-Federal: J.A.G.	0.00	3,073.23	3,073.23	3,073.23	3,073.23	0.00%			
37999	Miscellaneous Revenue	0.00	50.00	2,229.55	2,972.73	2,972.73	0.00%			
TOTAL		8,571,314.00	890,831.78	7,972,116.34	10,387,471.87	1,816,157.87				
201	Correction Fund									
35010	Correction Fees	35,000.00	2,843.00	26,915.00	35,886.67	886.67	102.53%			
TOTAL		35,000.00	2,843.00	26,915.00	35,886.67	886.67				
214	Lodger's Tax									
31300	Taxes/Local-Lodgers'	62,000.00	5,083.78	52,680.54	70,240.72	8,240.72	113.29%			
TOTAL		62,000.00	5,083.78	52,680.54	70,240.72	8,240.72				
216	Municipal Street Gas Tax									
32310	Taxes/State-Gas .01 Street	171,000.00	16,392.41	143,052.09	190,736.12	19,736.12	111.54%			
TOTAL		171,000.00	16,392.41	143,052.09	190,736.12	19,736.12				
217	Special Recreation									
34990	Other Charges for Services	2,500.00	(28.57)	2,072.39	2,763.19	263.19	110.53%			
36010	Contributions/Donations	500.00	0.00	0.00	0.00	(500.00)	0.00%			
36070	Rent/Royalty/Leases	1,500.00	0.00	0.00	0.00	(1,500.00)	0.00%			
TOTAL		44,500.00	(28.57)	551.52	2,763.19	(1,736.81)				
228	Lab Fees									
35030	Crime Lab (\$35/75)	1,500.00	60.00	956.00	1,274.67	(225.33)	84.98%			
35040	DWI Prevention (\$75)	1,200.00	86.00	319.00	425.33	(774.67)	35.44%			
TOTAL		2,700.00	146.00	1,275.00	1,700.00	(1,000.00)				
230	Judicial Education Fees									
35045	Judicial Education Fees	5,600.00	413.00	3,991.00	5,321.33	(278.67)	95.02%			
TOTAL		5,600.00	413.00	3,991.00	5,321.33	(278.67)				

City of Lovington (New)
 Summary Budget Comparison - Revenue report for commissioners
 From 3/1/2013 Through 3/31/2013

Account Code	Revenue Account Title	YTD			Projected Revenue for Fiscal Year	Revenues available based on Projections	% Projected Revenue/Original Budget
		Budget	Current Period Actual	Actual			
231	Court Automation Fees						
35055	Court Automation Fees	11,000.00	836.00	8,037.00	10,716.00	(284.00)	97.42%
	TOTAL	11,000.00	836.00	8,037.00	10,716.00	(284.00)	
233	Designated Franchise						
31100	Taxes/Local-Franchise	56,000.00	4,518.26	39,685.11	52,913.48	(3,086.52)	94.49%
36030	Investment Income	40.00	0.00	20.29	27.05	(12.95)	67.63%
	TOTAL	56,040.00	4,518.26	39,705.40	52,940.53	(3,099.47)	
504	Solid Waste						
34095	Garbage Collection Fees	1,738,000.00	148,666.82	1,332,597.72	1,776,796.96	38,796.96	102.23%
34990	Other Charges for Services	93,000.00	8,081.64	74,708.65	99,611.53	6,611.53	107.11%
36090	Sales-Other	3,000.00	0.00	1,329.10	1,772.13	(1,227.87)	59.07%
	TOTAL	1,834,000.00	156,748.46	1,408,635.47	1,878,180.63	44,180.63	
505	Water & Waste Water						
34010	Administrative Fees	0.00	1.00	8.00	10.67	10.67	0.00%
34230	Utilities-Services/Sales	2,150,000.00	139,920.16	1,543,892.50	2,154,268.60	4,268.60	100.20%
34240	Utilities-Service Connections	10,000.00	520.00	18,445.00	24,593.33	14,593.33	245.93%
34250	Utilities-Reconnect/Disconnect	30,000.00	1,600.00	23,374.00	31,165.33	1,165.33	103.88%
34990	Other Charges for Services	16,000.00	708.00	7,762.92	10,350.56	(5,649.44)	64.69%
36030	Investment Income	3,400.00	333.90	2,839.05	3,785.40	385.40	111.34%
36050	Penalties	49,000.00	3,354.21	35,631.10	47,508.13	(1,491.87)	96.96%
36090	Sales-Other	395,000.00	10,183.50	299,993.22	399,990.96	4,990.96	101.26%
37999	Miscellaneous Revenue	0.00	14.07	116.60	155.47	155.47	0.00%
	TOTAL	4,391,400.00	155,975.94	1,931,403.49	2,671,828.46	18,428.46	
509	Ambulance						
34150	Printing & Copying	70.00	10.00	55.62	74.16	4.16	105.94%
34280	Ambulance Charges	442,000.00	54,244.86	404,574.01	539,432.01	97,432.01	122.04%
	TOTAL	442,070.00	54,254.86	404,629.63	539,506.17	97,436.17	

City of Lovington (New)
 Summary Budget Comparison - Revenue report for commissioners
 From 3/1/2013 Through 3/31/2013

Account Code	Revenue Account Title	YTD Original			YTD Actual			Projected Revenue for Fiscal Year	Additional Revenues available based on Projections	% Projected Revenue/Original Budget
		Budget	Current	Period Actual	YTD Actual	Fiscal Year	Projections			
607	Unemployment Comp									
36030	Investment Income	2.00	0.00	0.00	0.07	0.09	(1.91)	4.67%		
36060	Reimbursement/Refund	800.00	0.00	0.00	0.00	0.00	(800.00)	0.00%		
	TOTAL	802.00	0.00	0.00	0.07	0.09	(801.91)			
708	Lgtn. Ec Devl Revolving Loan Funds									
36030	Investment Income	0.00	0.00	0.00	2.61	3.48	3.48	0.00%		
	TOTAL	0.00	0.00	0.00	2.61	3.48	3.48			

CITY OF LOVINGTON
COMMISSION STAFF SUMMARY FORM



MEETING DATE: April 8, 2013

TYPE: RESOLUTION ORDINANCE PROCLAMATION INFORMATION OTHER ACTION

SUBJECT: Consider Youth Center Board Appointment
DEPARTMENT: Youth Center
SUBMITTED BY: Jami Bailey, Director
DATE SUBMITTED: April 1, 2013

STAFF SUMMARY:

The Lovington Youth Center Board has submitted Herb Smith to be appointed to serve on the Board.

FISCAL IMPACT:

REVIEWED BY: _____
(Finance Director)

ATTACHMENTS:

RECOMMENDATION:

Motion to appoint Herb Smith to Youth Center Board.

Department Head



City Manager

CITY OF LOVINGTON
COMMISSION STAFF SUMMARY FORM



MEETING DATE: April 8, 2013

TYPE: RESOLUTION ORDINANCE PROCLAMATION INFORMATION OTHER ACTION

SUBJECT: Consider Housing Authority Appointment
DEPARTMENT: Lovington Housing Authority
SUBMITTED BY:
DATE SUBMITTED: April 1, 2013

STAFF SUMMARY:

The Lovington Housing Authority has requested that Maria Rios be reappointed to the Board for a five-year term.

FISCAL IMPACT:

REVIEWED BY: _____
(Finance Director)

ATTACHMENTS:

RECOMMENDATION:

Motion to approve reappointment.

Department Head



City Manager

CITY OF LOVINGTON
COMMISSION STAFF SUMMARY FORM



MEETING DATE: April 8, 2013

TYPE: RESOLUTION ORDINANCE PROCLAMATION INFORMATION OTHER ACTION

SUBJECT: Consider Approval of Variance in Zoning - 722 W. Avenue C
DEPARTMENT: Planning and Zoning Board
SUBMITTED BY:
DATE SUBMITTED: April 3, 2013

STAFF SUMMARY:

Cheryl Dudley has requested a variance in zoning for 722 W. Avenue C. The purpose of this request is that the owner wishes to operate a 1 or 2 chair beauty salon in a garage located at the residence. The property is currently zoned A - Single Family Dwelling, which does not allow for the operation of a business. The granting of this variance will allow for its operation.

Ms. Dudley has obtained letters from neighbors who have no issue with the operation of this business. City staff also sent letters by 1st class mail to each property owner within 100 feet of the location requesting a variance, informing them that this issue will be discussed and acted upon at this Commission Meeting and they are welcome to provide comment. Notice was also published more than 15 days in advance of this meeting to inform the public of the proposed variance.

FISCAL IMPACT:

REVIEWED BY: _____

(Finance Director)

ATTACHMENTS:

Planning and Zoning minutes
Diagram of property
Copies of support letters

RECOMMENDATION:

Motion to approve or deny request variance.

Department Head



City Manager

**REGULAR MEETING OF THE PLANNING & ZONING COMMISSION
MONDAY, MARCH 18, 2013 @ 4:30 P.M.
HELD IN CITY COMMISSION CHAMBERS, 214 SOUTH LOVE STREET**

PURPOSE OF MEETING:

- Consideration of Approval of Sunrise Addition Final Plat on North 7th St & West Polk Ave
- Consideration of Approval of Variance for RV Park at 401 W. Ave B
- Consideration of Approval of Replat & Variance on Larch St & 3rd St
- Consideration of Approval of Variance at 722 W. Ave C-Beauty Salon
- Consideration of Approval to Subdivide lot at 805 N. East St
- Consideration of Approval of Variance for 2 homes at 602 W. Central
- Consideration of Approval of Preliminary Plat of Dean Addition
- Discussion of Zoning Changes from Commercial to Multi-Family Zoning of Block 1, Dean Addition
- Discussion of the Annexation Zoning Changes
- Discussion of Off Street Parking for Large Trucks
- Discussion of Industrial Areas Zoning Changes

PRESENT: Members: David Lynch, John Benard, Betty Price, Nell Lewis, Randy Pettigrew, Vice Chairman Lynda Kreybig and Chairman Kallie Richards.

ALSO PRESENT: Code Enforcer Laura Brock, City Attorney Patrick McMahon, Fire Chief Terrance Lizardo, City Manager James Williams, City Clerk Carol Ann Hogue, and Administrative Assistant Imelda Gutierrez.

CALL TO ORDER: The meeting was called to order by Chairman Richards at 4:30 p.m.

CONSIDERATION OF THE MARCH 7, 2013 MINUTES: Chairman Richards called for a motion to approve the March 7, 2013 minutes. Member Price so moved to approve the minutes. Member Lynch seconded. Motion carried unanimously.

CONSIDERATION OF APPROVAL OF SUNRISE ADDITION FINAL PLAT ON NORTH 7TH ST & WEST POLK AVE: Vice Chairman Kreybig made a motion to approve the final plat. Chairman Richards abstained. Vice Chairman Kreybig withdrew the motion after some discussion concerning water & electrical easements. Member Price made a motion to table and resubmits the plat with all water & electric easements to the fire hydrants. Member Lynch seconded. Motion was approved.

CONSIDERATION OF APPROVAL OF VARIANCE FOR RV PARK AT 401 W. AVE B: Chairman Richards called for a motion to approve variance. Member Price made a motion to table to the next meeting due to Mr. Orosco not being present. Vice Chairman Kreybig seconded. Motion was approved.

CONSIDERATION OF APPROVAL OF REPLAT & VARIANCE ON LOTS ON LARCH ST & 3RD ST: Raul Chavira addressed the members on behalf of his father Cruz Chavira to request a replat & variance. Chairman Richards called for a motion to approve replat & variance. Member Price made a motion to approve according to the Code Enforcer Brock's recommendations and submit survey and plat to the committee. Member Lewis seconded. Motion was approved.

CONSIDERATION OF APPROVAL OF VARIANCE AT 722 W. AVE C-BEAUTY SALON: Cheryl Dudley addressed the members to request a variance for a 1 or 2 chair beauty salon in her garage. Chairman Richards called for a motion to approve the variance. Member

Price made a motion to approve. Vice Chairman Kreybig seconded. Member Lynch opposed. Motion was approved.

CONSIDERATION OF APPROVAL TO SUBDIVIDE LOT AT 805 N. EAST ST:

Administrative Assistant Gutierrez addressed the members to request to subdivide lot. Chairman Richards called for a motion to approve. Member Pettigrew made the motion to approve and move forward with subdivision pending on submitting a plat to the committee. Member Benard seconded. Motion was approved.

CONSIDERATION OF APPROVAL OF VARIANCE FOR 2 HOMES AT 602 W. CENTRAL:

Chairman Richards called for a motion to approve variance. Member Benard made a motion to table to the next meeting due to Mr. Smith not being present. Vice Chairman Kreybig seconded. Motion was approved.

CONSIDERATION OF APPROVAL OF PRELIMINARY PLAT OF DEAN ADDITION:

Harold Lawson addressed the members to request an approval of preliminary plat. Chairman Richards called for a motion to approve plat. Member Price made a motion to approve plat subject to submit survey & a replat to the committee. Member Lewis seconded. Motion was approved.

DISCUSSION OF ZONING CHANGES FROM COMMERCIAL TO MULTI-FAMILY ZONING FOR A PART OF BLOCK 1, DEAN ADDITION:

City Manager Williams stated that a public hearing notification would be sent or published for all the commercial & multi-family zoning areas that would be affected with the change in that area. A planning & zoning meeting is scheduled for April 15, 2013 @ 4:00p.m.

DISCUSSION OF THE ANNEXATION ZONING CHANGES:

Code Enforcer Brock discussed the new wording that she would like to have changed for the annexation ordinance. Members decided to table to the next meeting. No action was taken.

DISCUSSION OF OFF STREET PARKING FOR LARGE TRUCKS:

Code Enforcer Brock discussed the new wording on the off street parking. Members decided to table to the next meeting. No action was taken.

DISCUSSION OF INDUSTRIAL AREAS ZONING CHANGES:

Fire Chief Lizardo discussed the new wording on the Industrial Area Zoning Ordinance. Members decided to table to the next meeting. No action was taken.

ADJOURNMENT:

Vice Chairman Kreybig asked for a motion for adjournment at 6:05 p.m.

APPROVED: _____
CHAIRMAN RICHARDS

ATTEST: _____
MEMBER PETTIGREW

CITY OF LOVINGTON
STAFF SUMMARY FORM



PLANNING AND ZONING BOARD
 LOVINGTON ETZ BOARD

MEETING DATE: March 18, 2013

SUBJECT: Consider Approval of Variance at 722 W. Ave C-Beauty Salon

REQUESTED BY: Cheryl Dudley

ADDRESS:

DATE SUBMITTED: 3/11/2013

STAFF SUMMARY:

Cheryl Dudley is requesting a variance to put/add a beauty salon at her house. Convert garage to a 1 or 2 chair salon.

ATTACHMENTS:

Site Plan Review Form

RECOMMENDATION:

Best Interest to the City

Code Enforcement officer

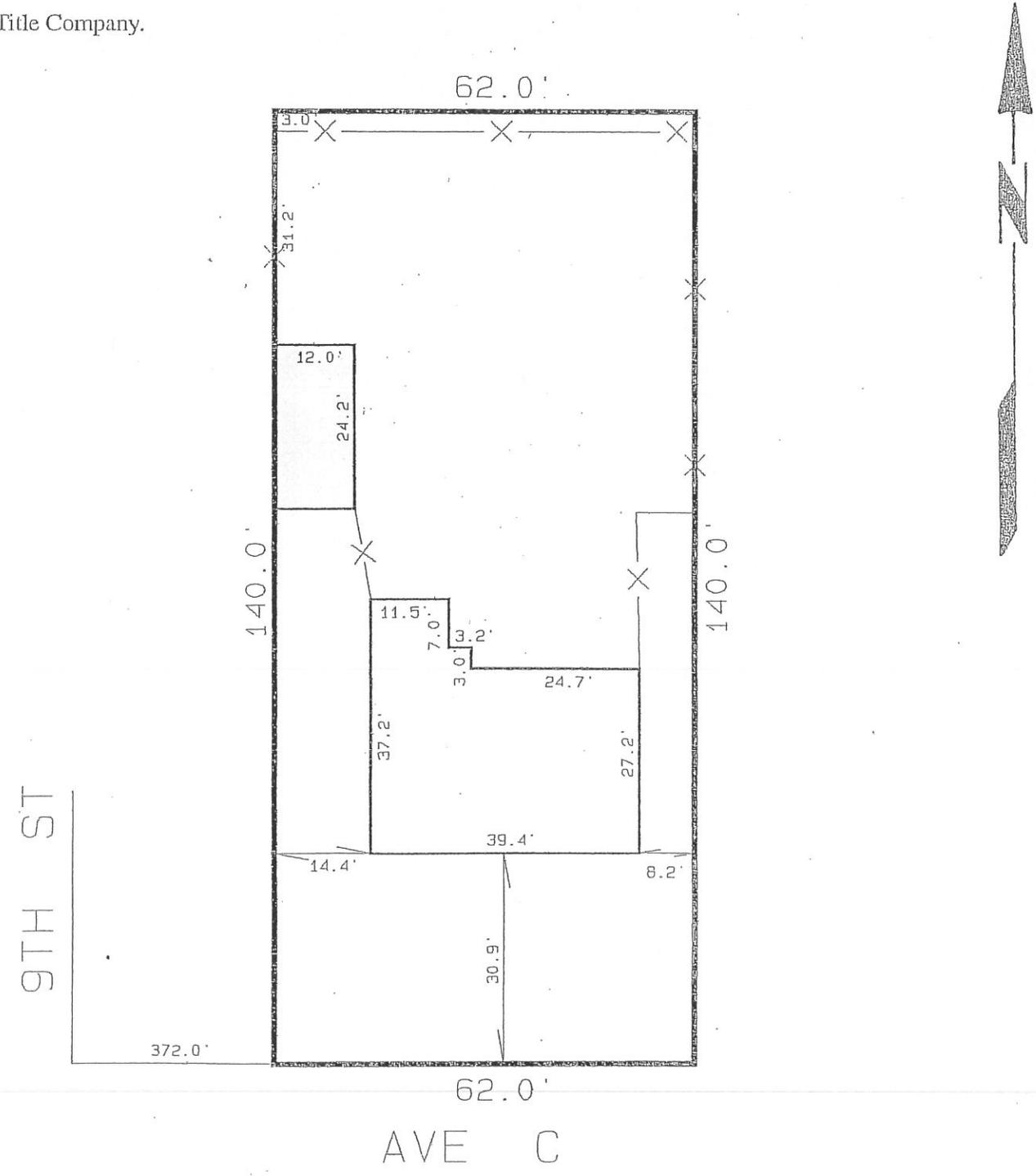
City manager

TO UNDERWRITER: First National Bank
TO LENDER: _____
that on September 17, 2008, I made an inspection of the premises situated at
722 W. Ave. C, City of Lovington, Lea County, N.M. briefly
described as: The East 48.0 feet of Lot 9 and the West 14.0 feet of Lot 10,
Block 5, Love Addition

PLAT REFERENCE: Bearings, distances and/or curve data are taken from the following plat (including filing information if plat is filed).
Lea County, New Mexico Tax Assessor Plats

Easements shown hereon are as listed in Title Commitment No. _____
provided by Title Company.

DUDLEY



Date: 3-13-13

I/We have discussed the future development of a beauty salon at the residence located at 722 W. Avenue C. My/Our understanding is that the single car garage located at the residence is to be remodeled into a salon to accommodate one or two chair customers. The parking is to be provided on the driveway located at the above-mentioned residence.

I/We do not oppose to this new renovation and parking.

Sincerely,

Name(s): Judy Henry
801 W. Ave. C

Address: _____

Telephone: 390-2374

Date: 7-13-2013

I/We have discussed the future development of a beauty salon at the residence located at 722 W. Avenue C. My/Our understanding is that the single car garage located at the residence is to be remodeled into a salon to accommodate one or two chair customers. The parking is to be provided on the driveway located at the above-mentioned residence.

I/We do not oppose to this new renovation and parking.

Sincerely,

Name(s): Deborah Purdy

Address: 802 Ave C

Telephone: 575 704 9949

Date: 3/13/13

I/We have discussed the future development of a beauty salon at the residence located at 722 W. Avenue C. My/Our understanding is that the single car garage located at the residence is to be remodeled into a salon to accommodate one or two chair customers. The parking is to be provided on the driveway located at the above-mentioned residence.

I/We do not oppose to this new renovation and parking.

Sincerely,

Name(s): Laura Ontiveros

Address: 805 W. Ave C, Livingston, NM 88260

Telephone: (575) 396-6390

Date: 3-18-13.

I/We have discussed the future development of a beauty salon at the residence located at 722 W. Avenue C. My/Our understanding is that the single car garage located at the residence is to be remodeled into a salon to accommodate one or two chair customers. The parking is to be provided on the driveway located at the above-mentioned residence.

I/We do not oppose to this new renovation and parking.

Sincerely,

Name(s):

Jeff Harris

Address:

718 W Ave C Lovington NM 88260

Telephone:

575-605-6760

CITY OF LOVINGTON
COMMISSION STAFF SUMMARY FORM



MEETING DATE: April 3, 2013

TYPE: RESOLUTION ORDINANCE PROCLAMATION INFORMATION OTHER ACTION

SUBJECT: Consider Approval of Accounts Payable
DEPARTMENT: Finance
SUBMITTED BY: Mashelle Stephens, Finance Director
DATE SUBMITTED: April 3, 2013

STAFF SUMMARY:

Staff have prepared the April Accounts Payable for your review and approval.

FISCAL IMPACT:

See payables detail.

REVIEWED BY: Mashelle Stephens
(Finance Director)

ATTACHMENTS:

Accounts Payable Detail

RECOMMENDATION:

Motion to approve as submitted.

Mashelle Stephens
Department Head

[Signature]
City Manager

City of Lovington (New)
Summary A/P Ledger - A/P Summary CCMeting - General
From 4/1/2013 Through 4/30/2013

Vendor Name	<u>Current Balance</u>
AG Equipment Co.	3,619.93
Albuquerque Publishing Co.	3,275.07
ALCO Stores, Inc	465.32
Alsco	709.92
American Library Sales	69.99
American Medical Group, Inc	1,596.85
Animal Care Equip. & Serv.	74.95
Aquatic Environmental	146.16
ASCO	816.52
Assurance Fire, Safety & Train	186.68
BeGeo Investment LLC	75.00
Benchmark	99.43
Betty Mills	674.99
Blaine Industrial Supply	2,343.38
Blue Book	11.95
Bob's Thriftway	468.68
Bound Tree Medical, LLC	1,808.99
BSN Sports	2,828.86
C & S Motor Parts Co.	567.39
C & S Motor Parts Co.	3.74
Caprock Communications	341.80
Certified Laboratories	1,985.31
Copies, Inc.	270.05
Cowboys Corner	129.90
Double J Animal Hospital	25.00
Farmer Brothers Company	313.63
Forrest Tire Co.	1,812.47
Gary's Lock and Key	96.19

City of Lovington (New)
Summary A/P Ledger - A/P Summary CMeeting - General
From 4/1/2013 Through 4/30/2013

Gebo Credit Corporation	190.41
Gempler's, Inc	104.20
General Mailing & Shipping	195.00
General Welding Supply	340.00
Good Earth Products, Inc	493.51
H & K Pest Control Co.	426.60
Haarmeyer Electric	5,218.04
Haller-Phillips, Inc.	24.73
Higginbotham-Bartlett Co.	4,134.14
Hobbs News-Sun	1,822.54
Hospital Services Corporation	68.48
Ketch-All Co.	171.50
Klein Automation & Electric	1,169.09
Larry Mahan's Paint & Body	77.81
Lazy 6 Restaurant	90.00
LightHouse BIS, LLC	200.63
Lovington Auto Supply	672.91
Lovington Leader	2,222.80
Lovington Main Street	8,750.00
Lyle Signs	10,250.00
Michael's Prescription Corner	145.47
MicroMarketing LLC	824.25
National Animal Control Assoc	575.00
National Creative Enterpries	67.90
New Mexico Emergency	128.40
New Mexico Jr. College	750.00
NM State University	375.00
OCLC, Inc.	202.61
Overhead Door Co.	164.86
P & D Petroleum, Inc	11,111.54

City of Lovington (New)
Summary A/P Ledger - A/P Summary CCMeting - General
From 4/1/2013 Through 4/30/2013

Parkway Cleaners	242.59
Pioneer Steak House	60.00
Porter Lee Corp.	22.50
Premier Electric	160.31
Recorded Books LLC	105.25
Reliable Office Supplies	331.38
Retail	144.05
Roberts Oil & Lube	560.50
Roswell Police Dept	2,100.00
Sage	4,307.06
Sebco Books	3,333.13
SPAN Publishing, Inc.	149.00
Squeaky Clean	4,253.63
Staples Advantage	1,942.06
Stericycle, Inc.	503.30
SWAT, LLC	881.20
Swissphone	61.00
The Cop Shop	262.74
The Gale Group	274.37
Tlo LLC	27.50
Trey's Plumbing	835.10
U S Food Service	4,021.83
University of New Mexico	28.04
University of Texas Press	18.75
Valentine Auto Service	2,393.32
Watermaster Irrigation Supply	2,424.25
Watson Truck & Supply	2,077.88
WTG Fuels, Inc	5,021.90
Zia Consulting, Inc.	<u>480.00</u>
Report Balance	<u><u>112,808.21</u></u>

Vendor

Subtotal from page one

AT&T Mobility	Gen-Cell Phone Bill for March 2013	1,232.54
Barbara Campbell	Judicial-Reimb for Trip to Santa Fe NM	58.11
Carmen Murillo	20% per diem for Nutrition Training class	40.00
Chris Leyva	80% Per Diem for travel to Santa Fe for Taser Recertificatio	292.00
Chris Leyva	20% Per Diem for trip to Santa Fe for Taser Recertification	73.00
Constructors, Inc	Streets-Cold Mix	1,457.65
Daniel Elizando	Dirt work at baseball fields	600.00
Daniel Elizando	Dirtwork on baseball fields	300.00
David Rodriguez	Police-Reimb Office Home & Business	231.26
Enterprise	Cemetery-Bal After Geico Pd Gaynell Mitchell	175.60
FBINAA-NM	Police-Chapter Lunheon & Business Meeting	40.00
FBINAA-NM	Police-Spring Retrainer 2013 Registration	150.00
Federal Wage & Labor Law Inst.	Finance-Federal Posters	214.80
Geoffrey Herweg	Police-Reimb Uniforms	42.72
Gordon Bartlett	80% per diem for Recert Waiver Exam	108.00
Hobbs News-Sun	Lodger Tax-Art Across New Mexico Ad	269.17
Hobbs News-Sun	Police-LN Publications for Donald Clarke	191.07
Imelda Gutierrez	Finance-Reimb index dividers	19.24
Intl Institute Municipal Clks	Finance-Membership Dues C Hogue	60.00
Jennifer Buford	80% per diem for travel to Recert Waiver Exam	108.00
Jim Trujillo	Judicial-Alternate Judge March 5 2013	64.13
Kayo Strickland	Cemetery-Reimb Lawn Mower Battery	30.00

City of Lovington (New)
 Summary A/P Ledger - A/P Summary CCMeting - General
 From 4/1/2013 Through 4/30/2013

KLEA Radio	Lodgers Tax-Art Across New Mexico ad	156.00
Lea County Clerk	Record Cemetery Deeds	225.00
Lea County Electric	Gen-Electric Bill for March 2013	20,694.66
Lea County Museum	Museum-Reimb for Postage	21.92
Lea County New Mexico	Finance-Consulting Services	10,800.00
Lea County Treasurer	Judicial-Inmate Housing Feb 2013	1,801.25
Library Petty Cash	Reimburse Petty Cash for Library	48.38
Lovington Chamber of Commerce	Lodgers Tax Programs Funding March 2013	1,200.00
Lovington Leader	Lodgers Tax-Art Across New Mexico ad	188.10
MailFinance	Finance-Lease Payment for March 2013	206.00
MailFinance	Finance-Lease on Mail Machine H 09101846	206.00
Manuela Rivera	20% per diem for Nutrition Training Class	40.00
Maria Bartholic	20% per diem for Nutrition Training class	40.00
Mario Martinez	80% per diem for travel to Recert Waiver Exam	108.00
Marisela Porras	20% per diem for Nutrition Training class	40.00
Michael's Prescription Corner	Animal Control Supplies	187.93
New Mexico Gas Company	Gen-Utility Gas Feb 2013	3,316.54
New Mexico Gas Company	Museum-Utility Gas March 2013	304.40
New Mexico Municipal League	Finance-Annual Municipal Day	65.00
New Mexico Municipal League	Finance-Annual Municipal Day 2013	65.00
New Mexico Municipal League	Finance-Municipal Day 2013	455.00
NM Board of Pharmacy	Controlled Substance Permit	60.00
Norma Vejil	Senior Center-Reimb Door Latch	59.90
Norma Vejil	Senior Center-Reimb Gas Training	50.00
Norma Vejil	20% per diem for Nutritional Training	40.00
Office Max - A Boise Company	Gen-Paper Supplies	380.00
Permian Collision	Cemetery-Deductible for Gate Resthaven Gaynell Mitchell	500.00
Phillips 66 Co.	Gen-Credit Card for Fuel	215.59
San Antonio Equipment Repair	Fire-Install Stryker Power Load Systems	4,500.00

City of Lovington (New)
Summary A/P Ledger - A/P Summary CCMeting - General
From 4/1/2013 Through 4/30/2013

Senior Citizen Petty Cash	Petty Cash reimbursement for Senior Center	70.91
Shell Oil Co.	Police-Fuel N Marquez NMPET Meeting	30.00
Staples	Police-Office Supplies	3,749.69
Staples	Senior Center-Office Supplies	181.47
Technicon Training& Consulting	Police-FTO Training J Barrientes, C Neblett	590.00
Visa Card Service	Travel Expenses NM Municipal League	1,947.66
Visa Card Service	Parks & Recreation-food for Prisoners	127.87
Windstream	Gen-Phone Bills Feb 2013	<u>4,338.90</u>
		<u>62,768.46</u>
	TOTAL	175,576.67

<u>Vendor Name</u>	<u>Current Balance</u>
Atco International	1,699.50
BMN Meter Measurement	1,373.61
Border States Electric Supply	224.34
Burger Builders	58.19
C & S Motor Parts Co.	215.82
Cardinal Laboratories	953.30
California Cont. Supplies, Inc.	1,010.72
Certified Laboratories	781.15
Chlorinators Incorporated	327.72
CLS Sewer Equipment Co Inc	3,225.57
Culligan Water Conditioning	27.50
Dana Kepner Co.	3,082.27
DPC Industries Inc.	571.11
Enpro Technologies	167.05
ESSCO Environmental, Inc.	0.00
General Welding Supply	85.00
Haarmeyer Electric	947.36
Hach Co.	2,802.95
Higginbotham-Bartlett Co.	644.83
IMR Corporation	5,114.91
Industrial Muncipal Products	2,169.00
KEG Technologies, Inc	4,118.40
Lovington Auto Supply	19.66
MailFinance	798.00
McJunkin Red Man	130.62
NMWWA-SE Section	36.00
Odessa Pumps & Equipment	8,792.51
P & D Petroleum, Inc	4,843.57

City of Lovington (New)
Summary A/P Ledger - A/P Summary CCMeeting - Water
From 4/1/2013 Through 4/30/2013

Peanut Kustom Paint and	0.00
Polydyne Inc.	1,008.00
Pro-Treat Power Equipment	51.97
Solid Waste Authority	5,300.16
Staples Advantage	312.28
W-H-B, Inc.	11,001.08
Report Balance	<u>61,894.15</u>

Subtotal for Page one		61,894.15
 Vendor		
AT&T Mobility	Water-Cell Phone March 2013	379.47
Kenneth C. Chisum	Clothing Allowance after 6 month	100.02
Lea County Electric	Water-Electric Bill March 2013	21,231.64
MailFinance	Water-Lease Payment- March 2013	206.00
MailFinance	Water-Lease on Mail Machine H09101846	206.00
New Mexico Gas Company	Water-Utility Gas Feb 2013	914.87
New Mexico One Call, Inc	Water-2qrt Billing Membership due 2013	412.25
Shell Oil Co.	Water-Fuel To Santa Fe	45.75
Staples	Water-Office Supplies	316.56
Visa Card Service	Meal - NM Municipal League-W Duncan	199.32
Visa Card Service	WasteWater Travel Expenses Pumper/Cleaner Show - Miguel DeLaCruz	181.34
Waste Management of New Mexico	Solid Waste-Polycarts Service Jan 2013	117,458.13
Waste Management of New Mexico	Solid Waste-Roll-offs Feb 2013	7,818.64
Windstream	Water-Phone Bill	459.57
		<u>149,929.56</u>
	TOTAL	211,823.71

CITY OF LOVINGTON
COMMISSION STAFF SUMMARY FORM



MEETING DATE: April 8, 2013

TYPE: RESOLUTION ORDINANCE PROCLAMATION INFORMATION OTHER ACTION

SUBJECT: Closed Session for Limited Personnel Matters
DEPARTMENT: Legislative
SUBMITTED BY: Dixie Drummond, Mayor
DATE SUBMITTED: April 3, 2013

STAFF SUMMARY:

A closed session has been requested in order to perform an informal evaluation of the City Manager.

FISCAL IMPACT:

REVIEWED BY: _____
(Finance Director)

ATTACHMENTS:

RECOMMENDATION:

Motion to go into closed session pursuant to Section 10-15-1 NMSA 1978, Subsection H-2, regarding limited personnel matters.

Department Head



City Manager