

REGULAR MEETING OF THE CITY COMMISSION
MONDAY, JUNE 24, 2013 @ 5:30 P.M.
CITY COMMISSION CHAMBERS, 214 S. LOVE STREET

Present and answering roll call: Mayor Drummond, Commissioners Gandy, Granath, and Bengé.

Also present: City Manager James Williams, Assistant City Manager Jared Cobb, Finance Director Mashell Stephens, Administrative Assistant Imelda Gutierrez, City Clerk Carol Ann Hogue, Chief of Police Danny Bryant and City Attorney Patrick McMahon.

Not Present: Commissioner Trujillo

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

Invocation: Commissioner Gandy gave the invocation

Pledge of Allegiance: Commissioner Gandy led the pledge

Approval of Agenda: Drummond asked for a motion to approve the agenda as submitted. Commissioner Gandy so moved to amend the agenda and move Tab 8 – Consideration of Approval of the Agreement to House Inmates between Lea County & the City of Lovington to a non-action item. Commissioner Granath seconded. Motion was approved.

Approval of the Regular Minutes of June 10, 2013: Mayor Drummond asked for a motion for approval of the regular minutes of June 10, 2013. Commissioner Gandy so moved. Commissioner Granath seconded. Motion was approved.

NON-ACTION ITEMS:

Discussion of Avenue D Park Restrooms: City Manager James Williams discussed what it would cost to rent a porta-john. It is approximately \$375 per month for each unit. The purchase of a porta-john was quoted verbally at approximately \$500 per unit plus shipping. To service the units, if purchased, could cost \$50 per service. Staff is concerned about the durability of units (vandalism, etc.). Commissioner Bengé would like for the City to look into building permanent restrooms in the future. Commissioner Gandy stated that they do need temporary restrooms for the summer. Mr. Williams asked the Mayor if they should have 2 units or more for men & women. Mayor Drummond asked Mr. Williams to look into Lea County Septic Tank Service in Hobbs, NM.

Discussion of Agreement to House Inmates between Lea County & the City of Lovington: City Attorney Patrick McMahon discussed with City Manager Williams some issues that needed to be changed or at least addressed that are now in the original contract. The effective date of this agreement will begin on July 1, 2013 and end on June 30, 2014. Mayor Drummond asked Attorney McMahon to amend the agreement to what is in the best interest for the City. No action was taken.

ATION ITEMS:

Consideration of Approval of Library Board Appointment: Mayor Drummond called for a motion to approve the Library Board Appointment. The Lovington Public Library Board of Trustees has recommended Kenda Medellin to serve on the Board. The term will expire in January 2016. Commissioner Granath so moved. Commissioner Gandy seconded. Motion was approved.

Consideration of Approval of Lovington & New Mexico MainStreet MOU: Mayor Drummond called for a motion to approve the MainStreet MOU. The Biennial Memorandum of Understanding is a funding commitment for Lovington MainStreet from July 1, 2013 through July 31, 2015. In the FYI Budget 2013-2014, the City has budgeted \$35,000 for these activities. Commissioner Bengé so moved. Commissioner Gandy seconded. Motion was approved.

Consideration of Approval of Resolution 062413-01-Support of a Public Private Economic Development MainStreet Project: Mayor Drummond called for a motion to approve the Resolution 062413-01. In order to fulfill one of the obligations in the MOU, the City is required to adopt Resolution 062413-01. Commissioner Gandy so moved. Commissioner Bengé seconded. Motion was approved.

Consideration of Approval of CAPERS Contract: Mayor Drummond called for a motion to approve the CAPERS Contract. City Manager Williams said the agreement included the indemnification clause as well as agreeing to submit to the jurisdiction of the State of New Mexico. The initial implementation cost is \$57,000 that is budgeted for with recurring annual maintenance fees of \$10,000 per year. Commissioner Granath so moved. Commissioner Gandy seconded. Motion was approved.

Consideration of Approval of Water Users Association Appointments: Mayor Drummond called for a motion to approve the Water Users Association Appointments. The terms of both Lovington Representatives Neil Granath & John Norris have expired. City Manager Williams stated that John Norris would like to be reappointed to the board. Commissioner Granath also mentioned that he would like to be reappointed. Commissioner Gandy so moved. Commissioner Bengé seconded. Motion was approved.

Consideration of Approval of Water Department Charge Offs & Inactive Account List: Mayor Drummond called for a motion to approve the Water Department Charge Offs & Inactive Account List. Mayor Drummond thought the disconnection fee was increased to stop having so many charge offs. City Manager Williams mentioned that the accounts are over 5 years old (2007-2008). The total charge offs \$14,945.95 and the inactive accounts total is \$17,886.25. Staff is preparing a policy to provide consistency in determining when water accounts are shut off. In addition, they will be researching the use of a collection agency to limit our loss. Commissioner Bengé so moved. Commissioner Granath seconded. Motion was approved.

Consideration of Approval of Ambulance Charge Offs: Mayor Drummond called for a motion to approve the Ambulance Charge Offs. City Manager Williams mentioned that the EMS Division of the Fire Department has prepared the list of 5 years charge offs of uncollectible accounts. All the efforts to collect, as well as processing through the collection agency have been exhausted. The total charge offs as of June 18, 2013 is \$43,010.20. The Department cannot collect a deposit. Commissioner Bengé so moved. Commissioner Gandy seconded. Motion was approved.

Consideration of Approval to Replat of Lot 3, Block 5, Fern Subdivision (Kingwood Ave): Mayor Drummond called for a motion to approve the replat of Fern Subdivision. Virgil Petree is dividing lot 3 into three 50' x 140' lots. The P&Z Commission recommended approval of the plat. Commissioner Gandy so moved. Commissioner Granath seconded. Motion was approved.

Consideration of Approval of Simpson Subdivision Final Plat – Replat of Lots 12, 13, & 14: Mayor Drummond called for a motion to approve the Simpson Subdivision Final Plat. Mary Ann Marquez is eliminating lot 13 and expanding the size of lots 12 & 14. The P&Z Commission has recommended approval of the plat. Commissioner Granath so moved. Commissioner Gandy seconded. Motion was approved.

PUBLIC COMMENT: None

OTHER:

- Commissioner Gandy asked about the City Ordinances regarding the large trucks parking in the residential areas. Commissioner Bengé and City Manager Williams are working on the ordinances.
- Mayor Drummond thanked the Lovington Police Department for responding to her home alarm at her residence.
- NMML Conference in Taos, NM in August, 2013

ADJOURNMENT:

There being no further business the meeting adjourned at 6:15 p.m.

APPROVED: _____
DIXIE DRUMMOND, MAYOR

ATTEST: _____
CAROL ANN HOGUE, CITY CLERK