

**REGULAR MEETING OF THE CITY COMMISSION
MONDAY, OCTOBER 13, 2014 @ 5:30 P.M.
CITY COMMISSION CHAMBERS, 214 S. LOVE STREET**

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

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

Also Present: City Manager James Williams, Assistant City Manager Jared Cobb, City Finance Director Gary Chapman, City Clerk Carol Ann Hogue, City Attorney Patrick McMahon, and Interim Police Chief David Rodriguez

Invocation: Commissioner Trujillo gave the invocation

Pledge of Allegiance: Commissioner Trujillo led the pledge

Approval of Agenda: Mayor Gandy called for a motion to approve the agenda as submitted. Commissioner Bengé so moved to approve the agenda with the change of resolution for variance in zoning at JL Reed Addition move to the first of the list of action item. Commissioner Trujillo seconded and a roll call was taken: Commissioner Bengé – Yes, Commissioner Trujillo – Yes, Commissioner Butcher – Yes, Commissioner Campos – Yes and Mayor Gandy - Yes.

Approval of the Regular Minutes of September 22, 2014: Mayor Gandy called for a motion to approve the regular minutes of September 22, 2014. Commissioner Campos so moved. Commissioner Butcher seconded and a roll call was taken: Commissioner Campos – Yes, Commissioner Butcher – Yes, Commissioner Trujillo – Yes, Commissioner Bengé – Yes, and Mayor Gandy – Yes.

COMMISSIONER AND STAFF REPORTS:

- Commissioner Butcher asked for an update on Avenue D; City Manager Williams stated electrical work was delayed due to paperwork to get restrooms electrical work inspected by State Engineer
- Mayor Gandy asked for an update on potholes; City Manager Williams stated potholes are 80% complete
- City Manager Williams updated Commissioners of completion of 9th Street by November 9, 2014. Library request of recommending Board of Trustee Imogene Hanners as Honorary Life Board Member, action item in next Commission Meeting

NON-ACTION ITEMS:

Discussion of Quarterly Financial Report: Commissioner Bengé questioned the percentage an expected trend on funds for the quarter. City Finance Director stated usually the first three months of the Year City makes big purchases in the beginning of year. No action was taken.

Discussion of RV Parks Ordinance: City Manager Williams informed Commissioners of proposed changes from City Planner Hildreth and Assistant City Manager Cobb addressing potential health and safety issue standards for the RV park ordinance, a planning and zoning work session will be held October 14, 2014 to address new RV park ordinance. City Manager Williams suggested for Commissioners to consider a resolution to put a hold on future RV Parks until Ordinance is updated. Commissioner Bengé stated RV Parks occupancy needs to be addressed and to include in the RV Park Ordinance to updating codes for existing RV Parks. City Manager Cobb stated mainly addressing public safety and in the future considering the zoning. No action was taken.

ACTION ITEMS:

Consideration of Resolution for Variance in Zoning at JL Reed Addition, Block 9, lot 1 Unit 3 – Front yard setback: Mayor Gandy called for a motion to approve the resolution for variance in zoning at JL Reed Addition, Block 9, lot 1, Unit 3 – front yard setback. City Manager Williams stated planning and zoning commission approved variance of unusual shape of the lot setback to be no less than 20 feet 7 7/8 inches. Justin Davis addressed Commissioners for approval of variance which would allow for a difference of 5 feet 9/16 inches. Commissioner Trujillo so moved to approve resolution 2014-50 variance. Commissioner Bengé seconded and a roll call was taken: Commissioner Bengé – Yes, Commissioner Butcher – Yes, Commissioner Trujillo – Yes, Commissioner Campos – Yes, and Mayor Gandy – Yes. Motion was approved.

Consider Approval of Resolution 2014-47: Termination of Lease: Mayor Gandy called for a motion to consider approval of resolution 2014-47: termination of lease. City Manager Williams addressed the Commissioners to approve the resolution to terminate Resolution of lease with Extreme Services, LLC for the 5.00 acre tract of land; Extreme Services, LLC has decided to terminate the lease. City will go out to bid again for interested parties. Commissioner Campos so moved. Commissioner Butcher seconded and a roll call was taken: Commissioner Campos – Yes, Commissioner Butcher – Yes, Commissioner Trujillo – Yes, Commissioner Bengé – Yes, and Mayor Gandy – Yes. Motion was approved.

Consider Approval of Resolution 2014-48: MOU between City of Lovington and Lovington Public Schools for SRO: Mayor Gandy called for a motion to approve the resolution 2014-48: MOU between City of Lovington and Lovington Public Schools for SRO. City Manager Williams addressed Commissioners of the SRO MOU between the City and School District. The agreement will be in effect for five year term, implemented November 1, 2014. The cost will be split 50/50, first year is prorated; school board will

take action tomorrow, if approved by Commission board. Officer Jennifer Buford, Brandon Solomon, and Joshua Hooper will be assisting with SRO. No further discussion. Commissioner Trujillo so moved. Commissioner Bengé seconded and a roll call was taken: Commissioner Trujillo – Yes, Commissioner Butcher – Yes, Commissioner Bengé – Yes, Commissioner Campos – Yes, and Mayor Gandy - Yes. Motion was approved.

Consider Approval of Resolution 2014-49: Update of 2014 Capital Asset Inventory:

Mayor Gandy called for a motion to approve the Resolution 2014-49: Update of 2014 Capital Asset Inventory. City Finance Director Chapman addressed Commissioners stating auditors have requested a Certification of an updated Capital Asset Inventory list to comply with New Mexico laws. City Manager Williams addressed the Commissioners. Commissioners reviewed asset list and discussed depreciation value of assets on list. Commissioner Campos so moved. Commissioner Bengé seconded and a roll call was taken: Commissioner Butcher – Yes, Commissioner Campos – Yes, Commissioner Bengé – Yes, Commissioner Trujillo – Yes, and Mayor Gandy – Yes. Motion was approved.

Consideration of Resolution 2014-51 for Variance in Zoning at 1209 W. Polk – Carport to exceed maximum size:

Mayor Gandy called for a motion to approve the resolution 2014-51 for variance in zoning at 1209 W. Polk – Carport to exceed maximum size. City Manager Williams stated building permit was approved by the State, but was not reviewed or approved by the City. Carport exceeds the maximum allowable size of 720 square feet in Zone A; Jose Vega requests a variance for 1,540 square foot carport on two separate lots. Planning and zoning commission approved variance contingent to meet all other required requirements. Commissioner Campos so moved to approve resolution 2014-51 variance. Commissioner Bengé seconded and a roll call was taken: Commissioner Trujillo – Yes, Commissioner Bengé – Yes, Commissioner Butcher – Yes, Commissioner Campos – Yes, and Mayor Gandy – Yes. Motion was approved.

Consideration of 9th And Avenue K Traffic Control:

Mayor Gandy called for a motion to approve the 9th and Avenue K Traffic Control. City Manager Williams addressed Commissioners of request from Lovington Municipal Schools for City to implement right turn only on Avenue K side of the parking lot and pylons be placed at the northern 9th street exit; City staff has concerns with pushing traffic into residential streets and neighboring schools. Request was made from schools in order to reduce congestion during lunch and at the end of school. Planning and Zoning Commission recommend that the schools develop on-site parking lot control measures before traffic patterns and flow on streets are changed. Commissioner Campos so moved. Commissioner Bengé seconded and a roll call was taken: Commissioner Bengé – No, Commissioner Trujillo – No, Commissioner Campos – No, Commissioner Butcher – No, and Mayor Gandy – No. Motion was not approved.

Consider of Temporary Soccer Field Expenditures: Mayor Gandy called for a motion to consider temporary soccer field expenditures. City Manager Williams addressed the Commissioners on development of an adult size soccer field located on the northwest corner of Chaparral Park. Soccer field will require purchase of sprinkler risers, adult goal nets and goals. Parks and Recreation Board recommended funding project cost of about \$7,000.00; project was not a budgeted expenditure, but funds are available. Commissioner Benge mentioned to consider moving it east of the skate park to try to accommodate two fields to help with parking; thinks it's a great idea and great proposal. City Manager Williams explained the east side of the park would not accommodate the two fields because of the light poles and unlevelled surface; City will look into signage or speed zone to slow down traffic on Commercial. Commissioner Campos so moved. Commissioner Trujillo seconded and a roll call was taken: Commissioner Campos – Yes, Commissioner Butcher – Yes, Commissioner Trujillo – Yes, Commissioner Benge – Yes, and Mayor Gandy – Yes. Motion was approved.

Consideration of Approval of Lodger's Tax Funding Recommendations: Consideration of Approval of Lodger's Tax Funding Recommendations: Mayor Gandy called for a motion to approve the Lodger's Tax Funding Recommendations. City Manager Williams stated that the Lodger's Tax Board has an estimated funding available of \$25,399.18 with dedicated chamber funding of \$3000.00 leaving \$22,399.18 with \$4000.00 in reserve. All funds are projected funds. The remaining funds were allocated utilizing the evaluation system approved by the City Commission as follows:

➤ Lea County Museum – Ron Helmen Ensemble Jazz Concert	\$	1,020.76
➤ Lea County Museum – Wright/Williams Concert	\$	1,127.21
➤ Lea County Museum – Lea County Quilt Show	\$	355.13
➤ Lea County Museum – Military Family Exhibit	\$	1,020.76
➤ Lea County Museum – Betancourt Photography Exhibit	\$	524.21
➤ Lea County Museum – Max Evans Presentation	\$	183.47
➤ Lovington Main Street – Farmers Market	\$	2,872.34
➤ Lovington Main Street – Holiday Shop Local Campaign	\$	1,723.18
➤ Lovington Main Street – Rope Light Installation	\$	2,628.08
➤ Lovington Main Street – Halloween on the Plaza	\$	1,525.88
➤ Alfredo Gomez – Wild Bunch Tournament	\$	1,160.71
➤ Foundation for Arts – Lea Theater Grand Re-opening	\$	804.69
➤ Lovington Chamber of Commerce – Fall Classis Barrel Race	\$	1,773.69
➤ Lovington Chamber of Commerce – Fall Arts & Crafts Festival	\$	1,679.06

TOTAL: **\$ 18,399.18**

Tabatha Lawson, Lovington MainStreet informed Commissioners of rope lights to be installed by C&N Electric, installed by second week of November, cost is \$4900.00; Commissioner Trujillo amended motion to approve Lodgers Tax Recommendation. Commissioner Butcher amended his second. Commissioner Trujillo so moved to allocate part of Farmers Market funds of \$1313.62 to increase funding to MainStreet rope lights installation. Commissioner Butcher seconded the motion and a roll call was taken: Commissioner Trujillo – Yes, Commissioner Campos – Yes, Commissioner Butcher – Yes, Mayor Gandy – Yes, and Commissioner Bengé – Yes. Motion was approved.

Consider Approval of Accounts Payable: Mayor Gandy called for a motion to approve the accounts payable. Commissioner Bengé so moved. Commissioner Campos seconded and a roll call was taken: Commissioner Campos – Yes, Commissioner Butcher – Yes, Commissioner Trujillo – Yes, Commissioner Bengé – Yes and Mayor Gandy - Yes. Motion was approved.

PUBLIC COMMENT:

Robbie Roberts addressed Commissioners speaking in behalf of some people in attendance, with complaints of mosquitos due to recent rain. Community has concerns with mosquitos testing positive for West Niles Virus in Chaves and Lea County. Mayor Gandy and City Staff suggested personal protection, maintaining weeds, maintain pools of water, and Lea County Environment Services will continue to spray, but spraying is not as effective.

Elaine Vigil stated RV Parks owners should be held at a very high standard.

Angie Marquez addressed Commissioners with young children crossing the street was a concern with the Soccer Field at the park.

CLOSED SESSION:

At 6:35 p.m., Commissioner Bengé moved to adjourn 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, Subsection H-2 regarding limited personnel matters, and Subsection H-7 to discuss threatened or pending ligation. Commissioner Campos seconded and a roll call vote was taken: Mayor Gandy - Yes; Commissioner Bengé - Yes; Commissioner Trujillo - Yes; Commissioner Butcher – Yes; and Commissioner Campos - Yes.

At 7:35 p.m., Commissioner Bengé so moved to adjourn 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 Butcher seconded and a roll call vote was taken: Mayor Gandy - Yes; Commissioner Bengé - Yes; Commissioner Trujillo - Yes; Commissioner Butcher – Yes; and Commissioner Campos - Yes.

OPEN SESSION:

Consider Approval of Police Chief Hiring: Mayor Gandy called for a motion to approve the police chief hiring. Commissioner Bengue so moved to offer position of Chief of Police to Lieutenant David Rodriguez. Commissioner Campos seconded and a roll call was taken: Commissioner Bengue – Yes, Commissioner Butcher – Yes, Commissioner Campos – Yes, Commissioner Trujillo – Yes and Mayor Gandy - Yes. Motion was approved.

ADJOURNMENT:

There being no further business the meeting adjourned at 7:36 p.m.

APPROVED: _____
SCOTTY GANDY, MAYOR

ATTEST: _____
CAROL ANN HOGUE, CITY CLERK