

**REGULAR MEETING OF THE CITY COMMISSION
MONDAY, SEPTEMBER 23, 2013 @ 5:30 P.M.
CITY COMMISSION CHAMBERS, 214 S. LOVE STREET**

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

Also present: City Manager James Williams, Assistant City Manager Jared Cobb, Finance Director Mashell Stephens, City Clerk Carol Ann Hogue, Chief of Police Danny Bryant, and City Attorney Mike Newell.

Not Present: City Attorney Patrick McMahon

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: Mayor Drummond asked for a motion to approve the agenda as submitted. Commissioner Trujillo so moved to remove the 2013-3-PERA Municipal Plan. Commissioner Granath seconded. Motion was approved.

Approval of the Regular Minutes of September 9, 2013: Mayor Drummond asked for a motion for approval of the regular minutes of September 9, 2013. Commissioner Gandy so moved. Commissioner Granath seconded. Motion was approved.

NON-ACTION ITEMS:

Discussion of Ordinance 516 – Solicitors, Canvassers & Peddlers: City Manager Williams addressed the Commissioners stating that the ordinance will omit Chapter 5.40-Solicitors, Canvassers, and Peddlers of the Lovington Municipal Code. This particular chapter deals with solicitors, canvassers and peddlers. In addition, this ordinance will amend Chapter 5.56 which pertains to Transient and Itinerant Vendors. The amendments include adding solicitors only into this chapter, as well as language adjustments. Changes are identified and submitted for review by the Commissioners. “Solicitors” means a person who goes from door to door visiting single-family or multi-family dwellings and businesses, or who is on the streets and parking lots of the City for the purpose of taking or attempting to take orders for the sale of goods, wares, merchandise, services, subscriptions, or personal property of any nature. A solicitor may travel by foot, automobile, or any type of conveyance. Solicitors may not travel door-to-door by commercial vehicle or semi-truck in any residential zone within the City. The City Clerk shall so certify in writing and a license shall be issued by the City Clerk. The City Clerk shall keep a record of all such licenses and of such complaints and violations. City Manager Williams stated that this item will be an action item on the next regular meeting on October 14, 2013. No action was taken.

Discussion of Traffic Speed on West Gum Street: Commissioner Gandy stated that he was approached by a citizen about the traffic congestion on Gum Street & Dearduff. Commissioner Gandy would like to discuss methods on how to slow traffic on the corner of Gum Street and Dearduff which includes heavy trucks to school buses. He is open to suggestions. Commissioner Bengé agrees on the expansion of roads at the truck by-pass. Mayor Drummond said that the City does need to think for the future for a bypass. No action was taken.

Discussion of Street Light on 1000 Block of West Avenue K: Commissioner Granath was approached by Mrs. Yarbrow about no street light on that block. Commissioner Gandy did state that it's very dark in that area. Mayor Drummond asked City Manager Williams to look into the cost of street lights. Commissioner Gandy suggested to the City Manager Williams to do an inventory on street lights. No action was taken.

ACTION ITEMS:

Consideration of Approval of College Addition, Block 12 Final Plat (Corner of Van Buren & Eddy): Mayor Drummond called for a motion to approve the College Addition Final Plat. The Lovington Planning & Zoning Board has recommended for approval on September 4, 2013. Commissioner Trujillo so moved. Commissioner Bengé seconded. Motion was approved.

Consideration of Approval of Variance for Carport Setback – 1105 W. Tyler: Mayor Drummond called for a motion to approve the variance for carport setback at 1105 W. Tyler. The Lovington Planning & Zoning Board has recommended for approval on September 4, 2013. Commissioner Granath so moved. Commissioner Bengé seconded and a vote call was taken: Mayor Drummond; aye, Commissioner Granath; aye, Commissioner Trujillo; aye, Commissioner Gandy; nay, and Commissioner Bengé; nay. Motion was approved.

Consideration of Approval of Summary Plat – Shields-Robinson Subdivision (Commercial & Ave K): Mayor Drummond called for a motion to approve the summary plat – Shields/Robinson Subdivision. City Manager Williams addressed the Commissioners stating that the property owner is wishing to subdivide 9.1 acre tract of land into two separate tracts. The Lovington Planning & Zoning Board has recommended for approval on September 4, 2013. Commissioner Trujillo so moved. Commissioners Granath seconded. Motion was approved.

Consideration of Approval of City & Lea County Economic Development Agreement: Mayor Drummond called for a motion to approve the City & Lea County Economic Development Agreement. City Manager Williams addressed the Commissioners stating that Lea County has allocated \$5,000 to the City of Lovington for fiscal year 2013-2014 for economic development. Commissioner Gandy so moved. Commissioner Granath seconded. Motion was approved.

Consideration of Approval of Resolution 2013-2-City & NMDOT Cooperative Agreement: Mayor Drummond called for a motion to approve the resolution 2013-2-City & NMDOT Cooperative Agreement. City Manager Williams addressed the Commissioners stating that NMDOT will fund 75% (\$62,809.00) with the City matching being 25% (\$20,936.00) for the project. The City will also be responsible for any additional costs exceeding the estimated project cost. Commissioner Gandy so moved. Commissioner Granath seconded. Motion was approved.

Consideration of Approval to Advertise Ordinance 512 – Off Street Parking: Mayor Drummond called for a motion to approve to advertise Ordinance 512. City Manager Williams addressed the Commissioners stating that this ordinance will affect Zone A & Zone B. If the approval is granted, this ordinance will be presented to the Commission for formal adoption on October 28, 2013 at the next regular meeting. The Lovington Police Department and Code Enforcers will be enforcing this ordinance. Commissioner Trujillo so moved. Commissioner Granath seconded. Motion was approved.

Consideration of Approval to Advertise Ordinance 513 – Annexation: Mayor Drummond called for a motion to approve to advertise Ordinance 513. City Manager Williams addressed the Commissioners stating that this ordinance will affect each property owner in each zone within the City. Commissioner Trujillo so moved. Commissioner Gandy seconded. Motion was approved.

Consideration of Approval to Advertise Ordinance 514 – Industrial Zone Changes: Mayor Drummond called for a motion to approve to advertise Ordinance 514. City Manager Williams addressed the Commissioners stating that this ordinance will not allow further residential development in this zone. Commissioner Benge so moved. Commissioner Gandy seconded. Motion was approved.

Consideration of Approval to Advertise Ordinance 515 – Annexation of 26.4 Acres NE of 17th & Brian Urlacher: Mayor Drummond called for a motion to approve to advertise Ordinance 515. City Manager Williams addressed the Commissioners stating that he was approached by a member of the Roberts Family Trust petitioning to annex approximately 26.43 acres located North East of the intersection of 17th Street and Brian Urlacher. The Lovington Planning & Zoning Board has recommended for approval on September 4, 2013. Commissioner Granath so moved. Commissioner Benge seconded. Motion was approved.

PUBLIC COMMENT:

Jacob Lujan addressed the Commissioners to invite them to a Revival in the Parks in the month of October.

Judge Finger of the Magistrate Court addressed the Commissioners about new electronic equipment and applications from Apple Products. Judge Finger suggested updating the devices for the Detectives with the new devices to make it easy to get a Judge signature for a search warrant.

OTHER:

- Mayor Drummond would like for a Commissioner or the City Staff to attend the Lea County Commission meeting will be on Wednesday, September 25, 2013.
- City Manager Williams mentioned the Lovington Homecoming Dance at the Youth Center on Friday, September 27, 2013 and invited the public.
- City Manager Williams asked the Commissioners to attend the Liquor License Transfer meeting on Monday, October 14, 2013 at 5:15 p.m.
- Chief of Police Bryant mentioned the Lovington Homecoming Parade on Friday, September 27, 2013 at 4 p.m.

ADJOURNMENT:

There being no further business the meeting adjourned at 6:25 p.m.

APPROVED: _____

DIXIE DRUMMOND, MAYOR

ATTEST: _____

CAROL ANN HOGUE, CITY CLERK