

**REGULAR MEETING OF THE CITY COMMISSION
MONDAY, SEPTEMBER 11, 2017 @ 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 Sanchez, Commissioner Butcher, Commissioner Trujillo, and Mayor Campos

Also Present: City Manager James Williams, City Attorney Patrick McMahon, Finance Director Gary Chapman, Chief of Police David Rodriguez, Fire Chief Terrance Lizardo, Public Works Director Wyatt Duncan, City Clerk Anna Juarez, and Administrative Assistant Joanna Barrera.

Invocation: Mayor Campos gave the invocation.

Pledge of Allegiance: Mayor Campos led the pledge.

Approval of Agenda: Mayor Campos called for a motion. Commissioner Trujillo so moved to approve agenda; Commissioner Gandy seconded. Motion carried unanimously.

Approval of the Regular Meeting Minutes of August 14, 2017: Mayor Campos called for a motion. Commissioner Gandy so moved to approve the regular meeting minutes of July 24, 2017 as submitted; Commissioner Trujillo seconded. Motion carried unanimously.

COMMISSIONER AND STAFF REPORTS:

- Public Works Director Duncan informed commissioners that he met with Constructors Inc to discuss preparation of Polk Street Improvement project and 17th Street Project.
- City Manager Williams informed commissioners that this weekend volunteers were out at Chaparral Park installing T Pads for the Disc Golf Course; including volunteer Crystal Ball.
- Fire Chief Lizardo thanked the community for the food that was given to them in remembrance of 911.
- City Manager Williams informed commissioners that the Convenience Station received one hundred seventy five loads on free dump day.
- City Manager Williams informed commissioners that movies at the park will take place on September 14, 2017; food vendors will be present.
- City Manager Williams informed commissioners that there will be a Planning and Zoning Meeting on September 12, 2017 to address non-conforming structures

and land use; City Commissioners are invited to attend the meeting. A notice of potential quorum was published on the agenda.

PUBLIC COMMENT:

- Main Street Director Mara Salcido informed commissioners that the First Annual October Fiesta will take place on October 21, 2017. Mrs. Salcido is requesting to close Main Street from 9:00 a.m. to midnight for the event to take place. Mrs. Salcido provided a map of the street closure. Commissioners and staff discussed their concerns regarding traffic as well as options for traffic detour. Mayor Campos informed Mrs. Salcido that a letter will be drafted providing tentative approval. Paula VanCleeve stated she is concerned for traffic and that she does not agree with the County not approving downtown events. Ron Price stated his concern is trucks tearing off black top on the streets as they pass by. City Manager Williams stated that Lea County does want City of Lovington to have events downtown; the reason they have requested to move street closures to other locations is due to construction and public safety.

NON ACTION ITEMS:

Discussion of Conflict of Interest Policy: City Manager Williams provided commissioners a copy of the 2015 New Mexico Governmental Conduct Act Compliance Guide for review and provided information in the Conduct Act to Commissioners. City Manager Williams provided a copy of the recent City of Hobbs Policy regarding conflict of interest for commissioners to review as well. City Commissioners agreed to an adoption to the conflict of interest policy, similar to as the City of Hobbs Policy. Mayor Campos stated that he has accepted a job with Lovington Trails as a manager of their complex.

ACTION ITEMS:

Consider Resolution 2017-93: Certification of Fixed Asset List: Mayor Campos called for a motion. Commissioner Trujillo so moved to consider Resolution 2017-93: Certification of Fixed Asset List; Commissioner Butcher seconded. Finance Director Chapman informed commissioners that Resolution 2017-93 will provide certification of the City Commission of the City's fixed asset listing as of June 30, 2017; this is an audit requirement and was tabled at the last City Commission Meeting. There being no further discussion; motion carried unanimously.

Consider Resolution 2017-98: Award of Bid for MRA Plan Update: Mayor Campos called for a motion. Commissioner Sanchez so moved to Consider Resolution 2017-98: Award of Bid for MRA Plan Update; Commissioner Butcher seconded. City Manager Williams informed commissioners that Resolution 2017-98 will award the RFP for the MRA Plan update to Consensus Planning, Inc. There being no further discussion; motion carried unanimously.

Consider Resolution 2017-99: Approval of Transfer of Dispenser Type Liquor License Application – Bobs Thriftway: Mayor Campos called for a motion. Commissioner Trujillo so moved to Consider Resolution 2017-99: Approval of Transfer of Dispenser Type Liquor License Application – Bobs Thriftway; Commissioner Butcher seconded. City Manager Williams informed commissioners that Resolution 2017-99 will approve the Liquor License Transfer application by Bob’s Thriftway which is a change of name on the liquor license. There being no further discussion; motion carried unanimously.

Consider Resolution 2017-100: Appointment of Library Board Member: Mayor Campos called for a motion. Commissioner Sanchez so moved to Consider Resolution 2017-100: Appointment of Library Board Member Linda Luker; Commissioner Butcher seconded. City Manager Williams informed commissioners that Karen Dickens has recently moved out of the Lovington area and can no longer serve on the Library Board. Per Municipal Code, the Library Board has submitted three names for consideration. The Library Board recommended the appointment of Linda Luker to fill the remaining term of Mrs. Dickens. There being no further discussion; motion carried unanimously.

Consider Resolution 2017-101: Authority to execute professional services agreement between City and Pettigrew & Associates for water well project: Mayor Campos called for a motion. Commissioner Trujillo so moved to Consider Resolution 2017-101: Authority to execute professional services agreement between City and Pettigrew & Associates for water well project; Commissioner Gandy seconded. City Manager Williams informed commissioners that Resolution 2017-101 will authorize the execution of a Professional Services Agreement between the City and Pettigrew & Associates for the continuation of the water well project. The agreement would allow Pettigrew & Associates to continue the bid process as well as the construction management for the project. The current agreement expired on June 30, 2017 and procurement code will not allow for an extension. City Manager Williams stated this scope of work has been considered by the NMEV and has been posted to the Sunshine Portal as required. No comments have been received. There being no further discussion; motion carried unanimously.

Consider Resolution 2017-102: Condemnation of Property – 123 W. Avenue: Mayor Campos called for a motion. Commissioner Butcher so moved to Consider Resolution: 2017-102: Condemnation of Property – 123 W. Avenue C; Commissioner Trujillo seconded. Code Enforcement Director Laura Brock presented pictures of 123 W Avenue and stated that the property is a safety and health hazard to the community. City Manager Williams informed commissioners that if Resolution 2017-102 is to be approved, it will be served upon the owner, occupant, or agent in charge of the premises. If service cannot be made, a copy of the resolution will be placed on the premises, as well as published. The individuals will have ten days to commence removal of the structures and debris; and provide a definite schedule for completion. If the property is not cleaned up, the City will remove the structures and debris. A lien will be placed on the property for the cost of removal which then may be foreclosed upon. The

property will need to be tested for asbestos prior to any demolition. City Manager Williams informed commissioners that condemnation of the property will cost the City money, but the cost will be recuperated once property sells. There being no further discussion; motion carried unanimously.

Consider Resolution 2017-103: Condemnation of Property – 203 W. Avenue L: Mayor Campos called for a motion. Commissioner Trujillo so moved to Consider Resolution 2017-103: Condemnation of Property – 203 W. Avenue L; Commissioner Sanchez seconded. Code Enforcement Director Laura Brock presented pictures of 123 W Avenue and stated that the property is a safety and health hazard to the community. Weeds have previously been abated by the City, but they have grown again. There being no further discussion; motion carried unanimously.

Consider Resolution 2017-104: Condemnation of Property – 422 N. Chaves Street: Mayor Campos called for a motion. Commissioner Sanchez so moved to consider Resolution 2017-104: Condemnation of Property – 422 N. Chaves Street; Commissioner Butcher seconded. Code enforcement Director Laura Brock presented pictures of 422 N Chaves Street and stated that the property is a safety and health hazard to the community. Mrs. Brock stated that the owner of the property has passed away and family members have made no attempt to contact her or respond to mail that has been sent. City Attorney McMahon informed commissioners that a probate process will need to take place. There being no further discussion; motion carried unanimously.

Consider Resolution 2017-105: Condemnation of Property – 910 N. 6th Street: Mayor Campos called for a motion. Commissioner Trujillo so moved to Consider Resolution 2017-105: Condemnation of Property – 910 N. 6th Street; Commissioner Sanchez seconded. Code Enforcement Director Brock presented pictures of 910 N 6th Street and stated that the property is a safety and health hazard to the community. Weeds have previously been abated by the City, but they have grown again, tires are also being dumped on property by other residents. Mrs. Brock stated that there are still belongings inside the home. There being no further discussion; motion carried unanimously.

Consider Resolution 2017-106: Condemnation of Property – Southwest Corner of Harrison Avenue and North 2nd Street: Mayor Campos called for a motion. Commissioner Sanchez so moved to consider Resolution 2017-106: Condemnation of Property – Southwest Corner of Harrison Avenue and North 2nd Street; Commissioner Butcher seconded. Code Enforcement Director Brock presented pictures of Southwest Corner of Harrison Avenue and North 2nd Street and stated that the property is a safety and health hazard to the community. Mrs. Brock stated that the wall of the structure is about to collapse. There being no further discussion; motion carried unanimously.

Consider Resolution 2017-107: Condemnation of Property – 304 W. Avenue F: Mayor Campos called for a motion. Commissioner Trujillo so moved to Consider Resolution 2017-107: Condemnation of Property – 304 W. Avenue F; Commissioner Sanchez seconded. Code Enforcement director Laura Brock presented pictures of 304 W Avenue F and stated that the property is a safety and health hazard to the community. Mrs. Brock stated that the weeds are being maintained by someone but that the structure is abandoned. There being no further discussion; motion carried unanimously.

Consider Resolution 2017-108: Condemnation of Property – 1111 W. Jackson Ave: Mayor Campos called for a motion. Commissioner Trujillo so moved to consider Resolution 2017-108: Condemnation of Property – 1111 W. Jackson Ave; Commissioner Butcher seconded. Code Enforcement Director Laura Brock presented pictures of 1111 W Jackson Avenue and stated that the property is a safety and health hazard to the community. Mrs. Brock stated that property had a fire in the past. There being no further discussion; motion carried unanimously.

Consider Accounts Payable: Mayor Campos called for a motion. Commissioner Sanchez so moved to Consider Accounts Payable; Commissioner Trujillo seconded. There being no further discussion; motion carried unanimously.

CLOSED SESSION: At 6:36 p.m., Commissioner Trujillo moved to adjourn the 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 – Lease of City commercial property; Commissioner Gandy seconded. A roll call vote was taken: Commissioner Trujillo - Yes, Commissioner Sanchez - Yes; Commissioner Butcher– Yes, Commissioner Gandy – Yes, and Mayor Campos - Yes.

OPEN SESSION: At 7:00 p.m., Commissioner Gandy so moved to adjourn the 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 Trujillo seconded and a roll call vote was taken: Commissioner Sanchez – Yes, Commissioner Butcher - Yes; Commissioner Trujillo – Yes, Commissioner Gandy, and Mayor Campos – Yes.

ADJOURNMENT:

There being no further business, Mayor Campos called for a motion to adjourn. Commissioner Trujillo so moved to adjourn meeting; Commissioner Sanchez seconded. Meeting adjourned at 7:00 p.m.

APPROVED: _____
PAUL CAMPOS, MAYOR

ATTEST: _____
ANNA JUAREZ, CITY CLERK