

**REGULAR MEETING OF THE CITY COMMISSION
MONDAY, JUNE 26, 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 Trujillo, Commissioner Gandy, Commissioner Butcher, Commissioner Sanchez, 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 as submitted; Commissioner Gandy seconded. Motion carried unanimously.

Approval of the Regular Meeting Minutes of June 12, 2017: Mayor Campos called for a motion. Commissioner Trujillo so moved to approve the regular meeting minutes of June 12, 2017 as submitted; Commissioner Gandy seconded. Motion carried unanimously.

COMMISSIONER AND STAFF REPORTS:

- Public Works Director Duncan informed commissioners that the new meter placement should be finalizing in the next two or three weeks.
- Commissioner Butcher suggested finding a proper place for the composed sludge at the Waste Water Plant; Public Works Director Duncan informed commissioners that the sludge will be moved to the City Farm until it could be disposed of.
- City Manager Williams informed commissioners that Smoking on the Plaza event was a success.
- Main Street Director Mara Salcido informed commissioners that Smoking on the Plaza event was 5 contestants short from last year; event was very successful.
- Commissioner Trujillo requested the following to be listed as a discussion item on the following City Commission Agenda : Sunday sales Local Option for Restaurant Beer and Wine License Holders.
- Commissioner Gandy suggested an upgrade to the mashed RV Dump Station.

- Fire Chief Lizardo informed commissioners that fireworks started selling on June 20, 2017 and asked the public to be mindful and safe when using fireworks.
- City Manager Williams informed commissioners KLEA will stop transmitting on June 30, 2017.

PUBLIC COMMENT:

- Todd Hunter informed commissioners that he opposes to the utility increase and that he disagrees with the mathematical disclosure on the proposed utility increase document sent to the public. Mr. Hunter stated utility discount should be given to all in need.
- Shirley Choate informed commissioners that she lives on 806 W Ave K. Ms. Choate suggested for other options to be considered for students parking at Lovington High School. Ms. Choate stated that if the 2 hour parking is approved, students will use the residential side of the street to park their vehicles.
- Joyce Holder suggested for drainage to be improved at the convenience station for Cardboard and paper recycling.
- Perla Ruiz and Sally Olivas informed commissioners that Mrs. Ruiz is requesting approval of easement for alley encroachment at 512 W Avenue I.
- Jerry Lambert informed commissioners that he is troubled by the amount of increase on his partner's water bill. Mr. Lambert specified information on the bill and informed commissioners there has been an increase to the water bill but there was no changes to water usage, which indicates to him that water meter is not being read. Mr. Lambert requested an audit on the utility accounts to search for improper charges.
- Carolyn Selby asked commissioners if there will be an additional increase for Waste Management services once renewal for contract with Waste Management takes place; City Manager Williams informed Ms. Selby that an RFT process will need to take place once contract with Waste Management is close to an end.
- Mara Salcido Main Street Director informed commissioners that she is in favor of water utility increase.
- Clint Laughrin Planning and Zoning member informed commissioners that he is not in favor of the proposed utility increase. Mr. Laughrin stated that he conducted a poll on social media on the water utility increase and shared the publics opinions with commissioner.
- Silvia King informed commissioners that due to economy struggles she is not in favor of the utility increase. Ms. King suggested closing the pool once a week to save the City money as well as not allowing City vehicles to be taken home.
- Paula Vanclave suggested for the utility increase to be divided into three different phases.
- Presley Roberts informed commissioners that she lives in Zone A; Ms. Roberts stated she owns a carport which is a safe permanent structure and she is requesting to keep it.

- Dave Ross asked commissioners if there is an option for turning off the valve in his new water meter in case of a water leak emergency; Public Works director Duncan informed Mr. Ross that he may place a valve on his personal property.
- Sherry Hayes informed commissioners that she owns a portable carport and she is not in favor of taking her carport down.
- Ron Price suggested that commissioners make the best decision in regards to the utility increase and permanent structure ordinance.
- Maria Garcia informed commissioners that she cannot afford the utility increase.
- Jared Hall Waste Management District Manager introduced himself to commissioners and the public.
- Wilson Hayes asked commissioners if a permit is needed to place a water valve on the side of his property. Public Works Director Duncan informed Mr. Hayes that the City requires that a licensed plumber does the tying to the water meter and the Water Department will mark the lines on the Alley only; Mr. Hayes may contact 811 to mark the lines on his property. Mr. Hayes asked if there has been a water quality check. Public Works Director Duncan informed Mr. Hayes that a Sanitary Survey is made every three years by the State and every three months a company comes in to check the water quality.
- Mayor Campos thanked the public for attending the City Commission Meeting and informed the public that he and commissioners are sympathetic to everyone's concerns.

NON ACTION ITEMS:

Discussion of Planning and Zoning Commission Positions: City Manager Williams informed Commissioners that a Planning and Zoning Board position will be advertised; Kallie Windsor resigned to the Planning and Zoning Board; City Manager Williams presented a chart of attendance for Planning and Zoning members. Mayor Campos suggested asking members who have missed Board meetings if they are still interested in being part of the Board.

ACTION ITEMS:

Consider approval of Ordinance 552: Sunrise Addition Phase II Housing Incentive: Mayor Campos called for a motion. Commissioner Trujillo so moved to consider approval of Ordinance 552: Sunrise Addition Phase II Housing Incentive; Commissioner Sanchez seconded. City Manager Williams informed commissioners that Ordinance 552 will authorize the execution of a Project Participation Agreement for housing production services between the City and M&L development. This project will complete the remaining 12 homes in the Sunrise Addition of the City of Lovington in which the City will provide a maximum of \$6,000 dollars per completed new home with a total contribution of \$72,000 from LOGRT Funds; per agreement with Lea County, 50% of incentive provided will be reimbursed to the City. This Ordinance has been advertised as required. There being no further discussion; motion carried unanimously.

Consider approval of Ordinance 553: Amendments to Lovington Municipal Code Title 13, Chapter 13.04 – Water Service System, Chapter 13.08 – Sewer Service System, and Chapter 13.12 – Rates, Billing, and Collection: Mayor Campos called for a motion. Commissioner Trujillo so moved to Consider approval of Ordinance 553: Amendments to Lovington Municipal Code Title 13, Chapter 13.04 – Water Service System, Chapter 13.08 – Sewer Service System, and Chapter 13.12 – Rates, Billing, and Collection; . Commissioner Butcher seconded. Commissioner Trujillo stated he votes for option three which is a 16.46% increase to water, 16.46% increase to sewer and 7.5% increase to garbage; Increase would take effect July 1, 2017. City Manager Williams presented a summary of the updated Ordinance No. 553 and presented the proposed utility rate increase options. Commissioner Butcher seconded. A roll call vote was taken: Commissioner Gandy - No, Commissioner Trujillo - Yes; Commissioner Sanchez - Yes; Commissioner Butcher - Yes, and Mayor Campos - Yes. There being no further discussion; motion carried unanimously.

Consider Resolution 2017-58: Approval of Chamber of Commerce Professional Services Agreement: Mayor Campos called for a motion. Commissioner Trujillo so moved to consider Resolution 2017-58: Approval of Chamber of Commerce Professional Services Agreement; Commissioner Gandy seconded. City Manager Williams informed commissioners that Resolution 2017-58 will authorize the execution of a Professional Services Agreement with the Lovington Chamber of Commerce; the first agreement was only for six months. This agreement is for twelve months and coincides with the City's Fiscal year. City Manager Williams informed commissioners that previously Chamber was funded only through General Fund; this agreement splits a total of \$47,000 dollars annual funding between General Fund and Lodgers Tax Fund. Commissioner Gandy seconded. There being no further discussion; motion carried unanimously.

Consider Resolution 2017-59: Approval of Lovington Economic Development Corporation Professional Services Agreement: Mayor Campos called for a motion. Commissioner Gandy so moved to consider Resolution 2017-59: Approval of Lovington Economic Development Corporation Professional Services Agreement; Commissioner Butcher seconded. City Manager Williams informed commissioners that Resolution 2017-59 will authorize the execution of a Professional Services Agreement with the Lovington Economic Development Corporation; the first agreement was only for six months. This agreement is for twelve months and coincides with the City's Fiscal year. City Manager Williams informed commissioners the funding is for \$50,000 dollars and comes from LEDA Funds. There being no further discussion; motion carried unanimously.

Consider Resolution 2017-60: Approval of Lovington MainStreet Professional Services Agreement: Mayor Campos called for a motion. Commissioner Butcher so moved to consider Resolution 2017-60: Approval of Lovington MainStreet Professional Services Agreement; Commissioner Gandy seconded. City Manager Williams informed commissioners that Resolution 2017-60 will authorize the execution of a Professional

Services Agreement with Lovington Main Street; the first agreement was only for six months. This agreement is for twelve months and coincides with the City's Fiscal year. City Manager Williams informed commissioners that previously MainStreet was funded only through General Fund; this agreement splits a total of \$50,000 dollars annual funding between General Fund and Lodgers Tax Fund. There being no further discussion; motion carried unanimously.

Consider Resolution 2017-61: Adoption of City Dress Code Policy: Mayor Campos called for a motion. Commissioner Butcher so moved to consider Resolution 2017-61: Adoption of City Dress Code Policy; Commissioner Sanchez seconded. City Clerk Juarez informed commissioners of the suggested changes that were incorporated into the City Dress Code Policy. Commissioner Trujillo asked if Dress Code Policy may be considered as discrimination. City Attorney McMahan informed Commissioner Trujillo he does not see discrimination presented in the dress code policy due to dress code requirements are based upon each department's type of settings and working conditions. There being no further discussion; motion carried unanimously.

Consider Resolution 2017-62: City Holiday and Meeting Schedule for FY 2017 – 2018: Mayor Campos called for a motion. Commissioner Sanchez so moved to consider Resolution 2017-62: City Holiday and Meeting Schedule for FY 2017 – 2018; Commissioner Gandy seconded. City Clerk Juarez informed commissioner that Resolution 2017-62 creates the legal notices that will be published setting the dates of City Commission Meetings and all other boards and commissions in the City for July 2017 through June 2018 as well as official Holidays. There being no further discussion; motion carried unanimously.

Consider Resolution 2017-63: Approval of street closure permit for July 8, 2017 Summer Concert Series: Mayor Campos called for a motion. Commissioner Butcher so moved to consider Resolution 2017-63: Approval of street closure permit for July 8, 2017 Summer Concert Series; Commissioner Gandy seconded. City Manager Williams informed commissioners that Resolution 2017-63 will authorize the temporary closure of a portion of South Love Street and East Central Avenue on July 8, 2017 for the Main Street Summer Concert Series Event. There being no further discussion; motion carried unanimously.

Consider Resolution 2017-64: Consider approval of parking time limits of the South side of West Avenue K, between 6th and 9th Streets: Mayor Campos called for a motion. Commissioner Trujillo so moved to consider Resolution 2017-64: Consider approval of parking time limits of the South side of West Avenue K, between 6th and 9th Streets; Commissioner Sanchez seconded. City Manager Williams informed commissioners that school staff has requested a two-hour limit for parking be placed on the south side of West Avenue K, between 9th Street and 6th Street. The reason for this is to enhance pedestrian safety within the school zone. City Manager Williams presented a parking plan to members which identified parking zones. City Manager Williams informed

members that enforcement would be conducted by the School Resource Officer. Violations of the parking limit would create citations; the City will not tow vehicles. City Manager Williams informed commissioners that the Planning and Zoning Commission recommended approval of this request at the June 13, 2017 meeting. Bill Lewis informed members that the two hour parking is requested to enhance safety for students and pedestrians and to enhance the High School students parking in the Parking Lot; Mr. Lewis stated he is open to any suggestions. Police Chief Rodriguez informed commissioners that students may not be sited for parking in front of residents homes due to it is public parking. Infractions can be issued to students if they are to be blocking or impeding traffic. Commissioners discussed issues that may arise if parking time limits are to be approved and other alternatives for student parking. Commissioner Butcher made a motion to table the approval of parking time limits of the South side of West Avenue K, between 6th and 9th Streets so that further discussion may take place. Commissioner Sanchez seconded. A roll call vote was taken: Commissioner Gandy - yes, Commissioner Butcher - Yes; Commissioner Sanchez - Yes; Commissioner Trujillo - No, and Mayor Campos - Yes There being no further discussion; motion carried to table Resolution 2017-64: Consider approval of parking time limits of the South side of West Avenue K, between 6th and 9th Streets.

Consider Resolution 2017-65: Approval of City phone system installation and maintenance agreement: Mayor Campos called for a motion. Commissioner Trujillo so moved to consider Resolution 2017-65: Approval of City phone system installation and maintenance agreement; Commissioner Gandy seconded. City Manager Williams informed commissioners that City Hall, the Public Safety Complex, Municipal Court, and the Motor Vehicle Department have an interconnected phone system that was installed in 2010. At present, this phone system is beginning to fail. City staff has been waiting on Windstream to provide a maintenance agreement for well over 3 years in order to deal with the various issues that do come up. City staff has requested quotes for replacement of the entire phone system, in addition to tying in the Troy Harris Center facility from LEACO and Windstream. Staff has recommended the agreement to be awarded to LEACO as there is an estimate of 47% reduction in operating costs over 5 years. City Manager Williams presented the LEACO agreement to commissioners. There being no further discussion; motion carried unanimously.

Consider Resolution 2017-66: Approval of easement for alley encroachment at 512 W. Avenue I: Mayor Campos called for a motion. Commissioner Trujillo so moved to consider Resolution 2017-66: Approval of easement for alley encroachment at 512 W. Avenue I; Commissioner Sanchez seconded. City Manager Williams informed commissioners that the owners of the home located at 512 W. Avenue have requested the City grant an encroachment easement for the north side of their property. A metal fence and carport was built and encroaches on the City's alley by 7.4 feet; Public works has been consulted and no utility issues have been identified. City Manager Williams recommended approval due to not having any City utilities in the property. City

manager Williams encouraged the public to get there properties surveyed to avoid any issues. Commissioner Gandy Suggested for the property owners to remove a big tree that is in the alley of the property. There being no further discussion; motion carried unanimously.

Consider Resolution 2017-67: Approval of Advanced Metering Infrastructure Agreement: Mayor Campos called for a motion. Commissioner Trujillo so moved to consider Resolution 2017-67: Approval of Advanced Metering Infrastructure Agreement; Commissioner Sanchez seconded. Public Works director Duncan informed commissioners that Resolution 2017-67 will authorize the execution of an agreement between the City and Sensus USA Incorporated for the Software and Technical Support needed for the radio read water meters. This agreement requires updating as the data storage has changed to a cloud based solution. The term of the agreement is for 5 years and is a budgeted annual expense. Public Works director Duncan informed commissioners that cost is \$6,000 per year from utilities. There being no further discussion; motion carried unanimously.

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

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 7:03 p.m.

APPROVED: _____
PAUL CAMPOS, MAYOR

ATTEST: _____
ANNA JUAREZ, CITY CLERK