

**REGULAR MEETING OF THE CITY COMMISSION  
MONDAY, SEPTEMBER 14, 2015 @ 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 Attorney Patrick McMahon, Police Chief David Rodriguez, City Clerk Carol Ann Hogue, and Finance Director Chapman

**Invocation:** Commissioner Butcher gave the invocation.

**Pledge of Allegiance:** Commissioner Butcher led the pledge.

**Approval of Agenda:** Mayor Gandy called for a motion. Commissioner Bengé so moved to approve the agenda. Commissioner Trujillo seconded and a roll call was taken: Commissioner Trujillo – Yes, Commissioner Campos – Yes, Commissioner Butcher - Yes, Commissioner Bengé – Yes, and Mayor Gandy – Yes.

**Approval of the Regular Meeting Minutes of August 10, 2015:** Mayor Gandy called for a motion. Commissioner Trujillo so moved to approve the regular meeting minutes of August 24, 2015; Commissioner Campos seconded. Roll call was taken: Commissioner Butcher – Yes, Commissioner Trujillo – Yes, Commissioner Bengé – Yes, Commissioner Campos – Yes, and Mayor Gandy – Yes.

**COMMISSIONER AND STAFF REPORTS:**

- Commissioner Campos asked Chamber Director RaeLynn Stuart to discuss 1<sup>st</sup> Annual Responder Day at the Chaparral Park and all Lea County first responders were invited to attend. Chamber Director Stuart stated she plans to continue to host event and invite other cities.
- Commissioner Butcher asked for an update on sprinkler system at Chaparral Park; City Manager Williams stated a replacement part for the pump did come in and a trans booster is out, which will not allow sprinkler system to turn on automatic, but system is turned on manually. Commissioner Butcher thanked Assistant City Manager Cobb for the work he has done for the City.
- Mayor Gandy asked for an update on street repairs; City Manager Williams stated all intersections have been repaired, with the exception to repairing 6 foot of curbing on Avenue C.
- Commissioner Trujillo asked to get with the County to advise surrounding residents of demolition project of jail house concerning schedule of noise, safety

issue, exit routes and possibly consider a neighborhood meeting to keep residents informed.

- Assistant City Manager Cobb informed Commissioners of his resignation, thanked the City of Lovington for given the opportunity of being able to serve and work with City Commission, Staff and the public; and will keep himself updated on the City of Lovington projects.

**NON-ACTION ITEMS:**

**Discussion of Lodgers Tax Board Appointment:** City Manager Williams informed Commissioners of Shannon Pettigrew resignation to the recent appointment to the Lodger's Tax Board due to changes in her schedule. Vacancy will be advertised, with final appointment by the City Commission at the September 24, 2015 meeting. Commissioner Trujillo suggested recommending someone who is involved with hotel industry. Discussion only, no action was taken

**ACTION ITEMS:**

**Consider Approval of Resolution 2015-80: Approval of Fund Policy:** Mayor Gandy called for a motion. Commissioner Campos so moved to consider Resolution 2015-80: Approval of Fund Policy; Commissioner Butcher seconded. Finance Director Chapman addressed Commissioners of approval of resolution which clarifies existing fund balances, order of spending, and a clear reserve policy. There being no further discussion, a roll call was taken: Commissioner Trujillo – Yes, Commissioner Bengé – Yes, Commissioner Butcher – Yes, Commissioner Campos – Yes, and Mayor Gandy – Yes. Motion was approved.

**Consider Approval of Resolution 2015-81: City Vehicle Policy:** Mayor Gandy called for a motion. Commissioner Trujillo so moved to consider approving Resolution 2015-81: City Vehicle Policy; Commissioner Butcher seconded. Finance Director Chapman addressed Commissioners of City Vehicle Policy which will comply with IRS rules. Finance Director Chapman stated officer who live in Hobbs will still be in compliance with vehicle policy and the tax law because all first responders personnel are generally expected to be on call 24 hours. Chief of Police stated moving from Lovington to Hobbs was allowed because of housing shortage, however housing is available; once position is vacated by somebody they are allowed to live in Hobbs but would need to drive personal vehicle back and forth. There being no further discussion, 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 2015-82: SENMEDD/COG Fiscal Agent Agreement for Senior Citizen Vehicle:** Mayor Gandy called for a motion. Commissioner Trujillo so moved to consider Resolution 2015-82: SENMEDD/COG Fiscal Agent Agreement for Senior Citizen Vehicle; Commissioner Bengé seconded. City Manager Williams addressed Commissioners of approving resolution will authorize the Mayor to sign a fiscal agent agreement with the Southeastern New Mexico Council of Governments in order for the

City to utilize a 2014 Legislative Capital Outlay Appropriation in the amount of \$29,000 for the purchase of a van for the Senior Citizens Center. There being no further discussion, a roll call was taken: Commissioner Butcher – Yes, Commissioner Bengé – Yes, Commissioner Campos – Yes, Commissioner Trujillo – Yes, and Mayor Gandy – Yes. Motion was approved.

**Consider Approval of Resolution 2015-83: Lovington – Lea County Economic Development Agreement:** Mayor Gandy called for a motion. Commissioner Butcher so moved to consider Resolution 2015-83: Lovington – Lea County Economic Development Agreement; Commissioner Trujillo seconded. City Manager Williams addressed Commissioners of annual Economic Development agreement between the City of Lovington and Lea County where the County provides the City a \$5,000 reimbursement, which is utilized to help fund activities taken by the EDC. There being no further discussion, a roll call was taken: Commissioner Campos – Yes, Commissioner Trujillo – Yes, Commissioner Butcher – Yes, Commissioner Bengé – Yes, and Mayor Gandy – Yes. Motion was approved.

**Consider Approval of Resolution 2015-84: Participation in LGRF Program:** Mayor Gandy called for a motion. Commissioner Butcher so moved to consider Resolution 2015-84: Participation in LGRF Program; Commissioner Campos seconded. Assistant City Manager Cobb addressed Commissioners of approving resolution will allow City to sign project agreement to receive \$46,875.00 in reimbursement from NMDOT to pay for a portion of the 17<sup>th</sup> Street Phase I Project. There being no further discussion, a roll call was taken: Commissioner Campos – Yes, Commissioner Trujillo – Yes, Commissioner Bengé – Yes, Commissioner Butcher – Yes, and Mayor Gandy – Yes. Motion was approved.

**Consider Approval of Block Party Permit; Central Avenue September 19, 2015:** Mayor Gandy called for a motion. Commissioner Trujillo so moved to consider approval of Block Party Permit; Central Avenue September 19, 2015; Commissioner Campos seconded. City Manager Williams informed Commissioners of Lea Community Foundation for the Arts has requested that Central Avenue from Love Street to Main Street be closed to traffic on September 19, 2015 between the hours of 5:30 p.m. and 9:30 p.m. the purpose of this closure is to allow for a fundraising event named “An Evening of Previews”, which will showcase the recent digital upgrades to the Lea Theater. Tickets will be available at \$10 for adults and \$7.00 for children and will include “Movie Food” and access to the Theater. As there is a charge for this event and a temporary closure of a collector street, Commission approval is required. There being no further discussion, a roll call was taken: Commissioner Trujillo – Yes, Commissioner Bengé – Yes, Commissioner Campos – Yes, Commissioner Butcher – Yes, and Mayor Gandy – Yes. Motion was approved.

**Consider Parks and Recreation Board Appointments:** Mayor Gandy called for a motion. Commissioner Trujillo so moved to consider Evelyn Holguin and Clint Laughrin to the Parks and Recreation Board Appointment; Commissioner Butcher seconded. There

being no further discussion, a roll call was taken: Commissioner Bengé – Yes, Commissioner Campos – Yes, Commissioner Butcher – Yes, Commissioner Trujillo – Yes, and Mayor Gandy – Yes. Motion was approved.

**Consider Approval of Accounts Payable:** Mayor Gandy called for a motion. Commissioner Bengé so moved to approve the accounts payable; Commissioner Campos second. There being no further discussion, 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:** Mara Salcido invited everyone to attend Lea Theater “Evening of Previews” on September 19, 2015 for Lea Community of the Arts Foundation Fundraiser.

Andrew Akufo, Executive Director of the Lea County Commissioner for the Arts, informed Commissioners of the Walker Award which honors artists who have made a lifetime contribution. Mr. Akufo extended an invitation for the City of Lovington to nominate an artist before the October 1<sup>st</sup> deadline; Annual Awards Banquet will be held on November 21, 2015. Entries are judged by a panel from Lea County.

**CLOSED SESSION:** At 5:55 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-7 pending or threatened litigation - status of pending or threatened claims; Subsection H-2 regarding limited personnel matters – hiring, promotion, demotion, dismissal, assignment or resignation of individual public employees; Subsection H-8 regarding the purchase, acquisition, or disposition of real property or water rights – Disposition of City Commercial Property. Commissioner Campos seconded, a roll call vote was taken: Commissioner Bengé - Yes; Commissioner Trujillo - Yes; Commissioner Butcher – Yes; Commissioner Campos - Yes; and Mayor Gandy - Yes.

At 7:10 p.m., Commissioner Campos 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 Butcher seconded and a roll call vote was taken: Commissioner Campos - Yes; Commissioner Bengé - Yes; Commissioner Butcher - Yes; Commissioner Trujillo - Yes; and Mayor Gandy - Yes.

**ADJOURNMENT:** There being no further business, Mayor Gandy adjourned, the meeting at 7:11 p.m.

**APPROVED:** \_\_\_\_\_  
**SCOTTY GANDY, MAYOR**

**ATTEST:** \_\_\_\_\_  
**CAROL ANN HOGUE, CITY CLERK**