

**REGULAR MEETING OF THE CITY COMMISSION
MONDAY, OCTOBER 12, 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, City Attorney Patrick McMahon, Police Chief David Rodriguez, City Clerk Carol Ann Hogue, Finance Director Gary Chapman and Administrative Assistant Anna Juarez

Invocation: Commissioner Bengé gave the invocation.

Pledge of Allegiance: Commissioner Bengé led the pledge.

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

Approval of the Regular Meeting Minutes of September 28, 2015: Mayor Gandy called for a motion. Commissioner Trujillo so moved to approve the regular meeting minutes of September 28, 2015; Commissioner Campos seconded. Roll call was taken: Commissioner Butcher – Yes, Commissioner Bengé – Yes, Commissioner Trujillo – Yes, Commissioner Campos – Yes, and Mayor Gandy – Yes.

COMMISSIONER AND STAFF REPORTS:

- Mayor Gandy asked for prayers for City Clerk Carol Ann; she will have surgery on Thursday.
- Commissioner Butcher asked if Code Enforcement has addressed 4th and Avenue A; Code Enforcement Laura Brock stated three letters have been mailed, to address weed concern.
- Mayor Gandy asked Commissioners to be available to attend a census meeting pending on the 27 or 29 of October. Mayor Gandy asked for an update on 9th and Avenue D stop light; City Manager Williams stated it is up to State DOT; light could possibly be repaired by Tuesday.
- Commissioner Trujillo had concerns about corner of Commercial and Madison pothole due to recent rain; City Manager Williams stated Commercial Street is part of reconstruction project, but will get pothole patched.
- Commissioner Bengé mentioned demolition of the old jail house is underway.

- City Manager Williams informed Commissioners of vacant position to the personnel board with recent departure of Diane Kinney from the water department, leaving a vacancy; Tracy Rodriguez was appointed to fill term to the personnel board. Commissioners had no disagreement to appointment.

NON-ACTION ITEMS:

Discussion of Ordinance No. 539: Uniform Traffic Ordinance Amendments: City Manager Williams informed Commissioners of Legislator changes to the Uniform Traffic Code which the City adopts by reference. The amendment to the UTO is to include the definition of “Autocycles” and two changes to their operation. The Ordinance No. 539 will be presented to Commission for adoption at the October 26, 2015 regular meeting; Ordinance has been advertised. Discussion only, no action was taken.

ACTION ITEMS:

Consider Approval of Resolution 2015-93: Temporary Street Closure – Central Plaza October 31, 2015: Mayor Gandy called for a motion. Commissioner Trujillo so moved to consider Resolution 2015-93: Temporary Street Closure; Commissioner Butcher seconded. City Manager Williams addressed Commissioners of closure of Love Street and Central Avenue for the annual Halloween on the Plaza event, to be held on October 31, 2015 from 4 – 6 p.m. Mara Salcido informed Commissioners the Halloween Carnival at the Fairground has fallen through due to lack of volunteers, but group is welcomed to join Halloween on the Plaza events, games, and safe stops. 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 2015-94: Temporary Street Closure – Fall Fest October 22, 2015: Mayor Gandy called for a motion. Commissioner Trujillo so moved to consider Resolution 2015-94: Temporary Street Closure – Fall Fest October 22, 2015; Commissioner Campos seconded. City Manager Williams addressed Commissioners of closure for Lea County Museum Fall Family Fun Fest to be held on October 22, 2015. There being no further discussion, a roll call was taken: Commissioner Campos – Yes, Commissioner Butcher – Yes, Commissioner Bengé – Yes, Commissioner Trujillo – Yes, and Mayor Gandy – Yes. Motion was approved.

Consider Approval of Resolution 2015-95: Approval of Agreement to Provide ATM at Lovington MVD: Mayor Gandy called for a motion. Commissioner Bengé so moved to consider approving Resolution 2015-95: Approval of Agreement to Provide ATM at Lovington MVD; Commissioner Trujillo seconded. Finance Director Chapman addressed Commissioners of a request for an ATM at the Motor Vehicle Department inside the building, in an effort to provide better service to our customers. Universal Cash Systems Inc. (UCSI) is offering a 90 day free trial period to see if the transactions are sufficient to prevent any charges to the City. Finance Director Chapman stated 0-100 transactions will require a minimum charge of \$100 per month to be paid to UCSI from City of

Lovington and 101-150 transactions for no monthly minimum charge and UCSI keeps 100% of surcharge. Maria Hernandez, MVD Supervisor, stated ATM is a good idea, customers without enough funding for transactions have to go to Stripes or Wells Fargo for more cash to complete transaction. City Attorney McMahan stated contract needs more clarification on Duties and Indemnity as far as maintenance of site; contract is workable for the 90 day trial period, City should check on what “standards” since the City is not in the business of housing ATM’s and what about security issues. City Attorney McMahan stated this will be a test phase for the 90 day trial period, allowing the City time to review contract to see if ATM is an option to consider. City Manager stated ATM will be secured during the 90 day trial period. There being no further discussion, a roll call was taken: Commissioner Trujillo – Yes, Commissioner Bengue – Yes, Commissioner Butcher – Yes, Commissioner Campos – Yes, and Mayor Gandy – Yes. Motion was approved.

Consider Approval of Lodgers Tax Board Recommendations: Mayor Gandy called for a motion. Commissioner Campos so moved to consider approval of Lodgers Tax Board Recommendations; Commissioner Bengue seconded. City Manager Williams addressed Commissioners of approving the following 12 event funding recommendations from the Lodgers Tax Board meeting on September 29, 2015:

Lea County Museum – Pena/Eddy Art Show Opening	\$	1,171.72
Lea County Museum – Christmas at the Museum	\$	504.10
Lea County Museum – Fall Fun Fest	\$	1,114.21
Lea County Museum – Movies at the Museum	\$	534.89
Lea County Museum – Sports Hall of Fame Induction	\$	1,437.39
Alfredo Gomez – Wild Bunch Tournament	\$	1,596.97
Farmers Market – Downtown Farmers Market	\$	300.00
Foundation for Arts – Lea Theater Opening	\$	924.26
Lovington Main Street – Halloween on the Plaza	\$	1,009.36
Lovington Main Street – Holiday Shop Local Campaign	\$	1,352.70
Lovington Chamber of Commerce – Fall Arts & Crafts Festival	\$	1,229.15
Lovington Chamber of Commerce – Fall Classic Barrel Race	\$	1,070.56
TOTAL:	\$	<u>12,245.31</u>

City Manager Williams stated one issue City is working on is developing a social media and advertising presence to reach a bigger area; website will allow individuals to showcase business, advertise their business, and advertise community events. Chamber of Commerce will be responsible for webpage; funding will be out of dedication of Chamber quarterly funds. Commissioners and Staff discussed Lodgers Tax cash balance and discussed if events are recurring. There being no further discussion, a roll call was taken: Commissioner Butcher – Yes, Commissioner Trujillo – Yes, Commissioner Bengue – Yes, Commissioner Campos – Yes, and Mayor Gandy – Yes. Motion was approved.

Consider Library Board Appointment: Mayor Gandy called for a motion. Commissioner Trujillo so moved to consider Library Board Appointment; Commissioner Campos seconded. City Manager Williams stated Susan Bogan, a librarian from the schools, submitted interest in the Library Board vacancy of Kenda Medillin, term will expire January 2016. Commissioner Trujillo so moved to amend motion to appoint Susan Bogan to the Library Board; Commissioner Butcher seconded. There being no further discussion, a roll call was taken: Commissioner Bengé – Yes, Commissioner Campos – Yes, Commissioner Trujillo – Yes, Commissioner Butcher – Yes, and Mayor Gandy – Yes. Motion was approved.

Consider Youth Center Board Appointments: Mayor Gandy called for a motion. Commissioner Butcher so moved to consider Youth Center Board Appointments; Commissioner Campos seconded. City Manager Williams stated Marla Price, Kay Hardin and Robert DeLaCruz terms have expired; all have expressed interest to serve on the board, including Mara Salcido. Youth Center Board term is 4 years and term will expire on October of 2019. Marla Price, member of the Youth Center Board, stated she, Kay Hardin and Robert DeLaCruz are consistent in attending meetings, and 2 more openings are needing to be filled. City Manager Williams stated Kelli Tayler and Hurb Smith appointments will be discussed for the following commission meeting. Commissioner Butcher so moved to amend motion to appoint Marla Price, Kay Hardin and Robert DeLaCruz to the Youth Center Board; Commissioner Campos seconded. There being no further discussion, a roll call was taken: Commissioner Bengé – Yes, Commissioner Trujillo – Yes, Commissioner Butcher – Yes, Commissioner Campos – Yes, and Mayor Gandy – Yes. Motion was approved.

Consider Lea Community Foundation for the Arts Board Appointment: Mayor Gandy called for a motion. Commissioner Bengé so moved to consider appointing Mike Farris to serve on the Lea Community Foundation for the Arts Board as the City's representative; Commissioner Trujillo seconded. Mike Farris will serve as the City's representative for the Foundation Board of Directors. There being no further discussion, a roll call was taken: Commissioner Campos – Yes, Commissioner Bengé – Yes, Commissioner Trujillo – Yes, Commissioner Butcher – 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 Trujillo – Yes, Commissioner Bengé – Yes, Commissioner Butcher – Yes, Commissioner Campos – Yes, and Mayor Gandy – Yes. Motion was approved.

PUBLIC COMMENT: None

CLOSED SESSION: At 6:06 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 – Disposition of City Commercial Property. Commissioner Campos seconded, a roll call vote was taken: Commissioner Campos - Yes; Commissioner Trujillo - Yes; Commissioner Bengé – Yes; Commissioner Butcher - Yes; and Mayor Gandy - Yes.

At 6:16 p.m., Commissioner Trujillo 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 Trujillo - Yes; Commissioner Bengé - Yes; Commissioner Campos - Yes; Commissioner Butcher - Yes; and Mayor Gandy - Yes.

ADJOURNMENT: There being no further business, Mayor Gandy adjourned, the meeting at 6:17 p.m.

APPROVED: _____
SCOTTY GANDY, MAYOR

ATTEST: _____
CAROL ANN HOGUE, CITY CLERK