

**REGULAR MEETING OF THE CITY COMMISSION
MONDAY, JANUARY 22, 2018 @ 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 Butcher, Commissioner Trujillo, Commissioner Gandy, Commissioner Sanchez, and Mayor Campos

Also Present: City Manager James Williams, City Attorney Patrick McMahon, Finance Director Gary Chapman, Public Works Director Wyatt Duncan, City Clerk Anna Juarez, and Administrative Assistant Briana Lara.

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 presented; Commissioner Gandy seconded. Motion carried unanimously.

Approval of the Regular Meeting Minutes of January 8, 2018: Mayor Campos called for a motion. Commissioner Gandy so moved to approve the regular meeting minutes of January 8, 2018 as submitted; Commissioner Butcher seconded. Motion carried unanimously.

COMMISSIONER AND STAFF REPORTS:

- Public Works Director Duncan informed Commissioners about the Polk Street Project paving will be completed Wednesday; Polk Street should be open no later than Thursday if everything passes densities.
- Commissioner Butcher asked if the issues have been fixed with the new water automated system; Public Works Director Duncan responded they are working on fixing the glitches with Incode and Census; January 25, 2018 they will finalize the switch over with the radio read system.
- Mayor Campos asked for an update on 17th street construction; City Manager Williams responded that the weather interfered with testing for compaction.

PUBLIC COMMENT:

- Director of Chamber Leslie Everson stated that Community Breakfast went great the Chamber of Commerce teamed up with McDonald's to serve breakfast over 200 people attended and looks forward to having another one this year. Director of Chamber Leslie Everson invited everyone to the Annual Awards Banquet February 8, 2018 and to the Candidate Public Quorum on February 9, 2018.

- Planning and Zoning Coordinator Ball informed Commissioners of the Disc Golf Course tournament from January 13, 2018 was a great success with 96 players competing. Planning and Zoning Coordinator Ball informed everyone that the next Disc Golf Course Tournament will be February 24, 2018. Planning and Zoning Coordinator Ball stated Firefighter Luis Gomez took first place overall and she took third place in the ladies category.

ACTION ITEMS:

Consider Resolution 2018-05: Advertisement of Ordinance No. 557- An Ordinance of the City of Lovington amending Title 2 Administration and Personnel, Division V-Boards and Commissions, Chapter 2.72 Planning and Zoning Commission amending Title 17 Zoning, Chapter 17.20 "A" Single Family Dwelling District; amending Title 17 Zoning, Chapter 17.40 Nonconforming Uses: Mayor Campos called for a motion. Commissioner Gandy so moved to consider Resolution 2018-05: Advertisement of Ordinance No. 557- An Ordinance of the City of Lovington amending Title 2 Administration and Personnel, Division V-Boards and Chapter 17.20 "A" Single Family Dwelling District; amending Title 17 Zoning, Chapter 17.40 Nonconforming Uses; Lack of second, Motion died.

Consider Resolution 2018-06: Advertisement of Ordinance No. 558- An Ordinance of the City of Lovington amending Title 17-Zoning, Chapter 17.22- Manufactured Homes and Mobile Homes, Section 130 and 140: Mayor Campos called for a motion. Commissioner Trujillo so moved to consider Resolution 2018-06: Advertisement of Ordinance No. 558- An Ordinance of the City of Lovington amending Title 17-Zoning, Chapter 17.22- Manufactured Homes and Mobile Homes, Section 130 and 140; Commissioner Sanchez seconded. City Manager Williams informed Commissioners the Ordinance 558 will amend code for the City to complete annual inspections on mobile homes. City Manager Williams informed Commissioners that Ordinance 558 will also ask for an occupancy permit for all mobile homes. There being no further discussion; motion carried unanimously.

Consider Resolution 2018-07: Approval of 2nd Quarter Financial Report and Budget Adjustments: Mayor Campos called for a motion. Commissioner Trujillo so moved to consider Resolution 2018-07: Approval of 2nd Quarter Financial Report and Budget Adjustments; Commissioner Butcher seconded. Finance Director Chapman stated budget for fiscal is over 22 million dollars and 8.4 million planned has been spent. Finance Director Chapman stated that the City is staying in budget. There being no further discussion; motion carried unanimously.

Consider Resolution 2018-08: Approval of variance for side yard setback at 622 W. Birch, legally described as Lot 13, Sunrise Addition to the City of Lovington, Lea County, New Mexico: Mayor Campos called for a motion. Commissioner Trujillo so moved to consider Resolution 2018-08: Approval of variance for side yard setback at 622 W. Birch, legally described as Lot 13, Sunrise Addition to the City of Lovington, Lea County, New Mexico; Commissioner Sanchez seconded. City Manager Williams informed Commissioners the owner of Lot 13 started construction and found out footing was 2 ft. into the Street Side Yard Setback.

City Manager Williams stated the owner has requested a variance to change street side yard setback to 13'. City Manager Williams informed Commissioners the request was reviewed by the Planning and Zoning Commission, a 3-2 vote recommend approval on the condition that no other variance be granted to this builder in that particular sub-division. City Manager Williams informed Commissioners that in this sub-division there is a Housing Production Services Agreement with M&L in which the home builder receives a reimbursement for each house of \$6,000; if variance is granted Mr. Boyd understands that he will not be able to claim the reimbursement for the house. There being no further discussion; a roll call vote was taken Commissioner Butcher - Yes; Commissioner Sanchez - Yes; Commissioner Trujillo - Yes; Commissioner Gandy - No; and Mayor Campos - Yes motion carried.

Consider Resolution 2018-09: Approval of variance for Lot 1, Block 6, Cowan Addition to the City of Lovington, Lea County, New Mexico (SW corner of 2nd and Harrison Avenue) for number of main buildings per lot and front yard setback: Mayor Campos called for a motion. Commissioner Sanchez so moved to consider Resolution 2018-09: Approval of variance for Lot 1, Block 6, Cowan Addition to the City of Lovington, Lea County, New Mexico (SW corner of 2nd and Harrison Avenue) for number of main buildings per lot and front yard setback; Commissioner Trujillo seconded. Jose Cabello informed Commissioners that he seeks approval to rebuild his property. Animal Control/Code Enforcement Supervisor Brock informed Commissioners that the inspector reviewed the property and is confident that Mr. Cabello can reconstruct the property with what is already there. There being no further discussion; motion carried unanimously.

Consider Resolution 2018-10: Removal of items from fixed assets inventory for disposal by auction: Mayor Campos called for a motion. Commissioner Trujillo so moved to consider Resolution 2018-10: Removal of items from fixed assets inventory for disposal by auction; Commissioner Gandy seconded. City Manager Williams informed Commissioner there are five police cars and one staff vehicle to dispose of by auction. The pick-up that was totaled was covered by the other vehicle owner. City Manager Williams informed Commissioners that three Senior Citizen vehicles could be sent to auction or to another New Mexico entity. Commissioner Sanchez asked if the vans are in working condition; City Manager Williams responded some vans are usable but do need some mechanical issues fixed. There being no further discussion; motion carried unanimously.

Consider Resolution 2018-11: Financial record consulting services with Carr, Riggs & Ingram CPA's and Advisors: Mayor Campos called for a motion. Commissioner Trujillo so moved to consider Resolution 2018-11: Financial record consulting services with Carr, Riggs & Ingram CPA's and Advisors; Commissioner Gandy seconded. Finance Director Chapman informed Commissioners that an engage format auditing is required to provide help to be in compliance. Mayor Campos asked why this is being done until now; Finance Director Chapman responded because of cash bases accounting, revert what bank statements state instead of what check book states. Mayor Campos asked what the cost of the service is; Finance Director Chapman responded the total cost would be \$26,000. Mayor Campos and Commissioner Trujillo stated the total was a high cost and if it would be a one-time or yearly expense; Finance Director

Chapman responded that it will be a one-time cost and once completed everything will be cleaned and corrected. There being no further discussion; motion carried unanimously.

Consider Resolution 2018-12: Appointment of Precinct Board for 2018 Municipal Election: Mayor Campos called for a motion. Commissioner Trujillo so moved to consider Resolution 2018-12: Appointment of Precinct Board for 2018 Municipal Election; Commissioner Sanchez seconded. City Clerk Juarez informed Commissioners that the election will be held at City Hall. City Clerk Juarez informed Commissioners of the certified candidates; Municipal Judge Barbara Campbell and Jim Trujillo, District 3 Commissioner Bernard Butcher, and District 5 Mayor Paul Campos and Sandra Johnson. 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 Butcher seconded. Finance Director Chapman explained to the commissioners the highest expenses; the library system, Lovington Leader, and Reid Insurance. There being no further discussion; motion carried unanimously.

CLOSED SESSION:

At 6:34 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-2 regarding limited personnel matters; City Manager Evaluation; Commissioner Butcher seconded and a roll call vote was taken; Commissioner Trujillo – Yes; Commissioner Gandy – Yes; Commissioner Butcher - Yes; Commissioner Sanchez – Yes and Mayor Campos- Yes.

OPEN SESSION:

At 7:49 p.m., Commissioner Gandy so moved to adjourn the Closed Session and reconvene in Regular Session; Commissioner seconded and a roll call was taken; Commissioner Butcher – Yes; Commissioner Trujillo – Yes; Commissioner Gandy - Yes; Commissioner Sanchez – Yes and Mayor Campos- Yes. Mayor Paul Campos stated the City Manager Evaluation was satisfactory and the Commissioners and himself are pleased with City Manager Williams’ work.

ADJOURNMENT:

There being no further business, Mayor Campos called for a motion to adjourn. Commissioner Trujillo so moved to adjourn meeting; Commissioner Gandy seconded. Meeting adjourned at 7:51 p.m.

APPROVED: _____
PAUL CAMPOS, MAYOR

ATTEST: _____
ANNA JUAREZ, CITY CLERK