

**REGULAR MEETING OF THE CITY COMMISSION
MONDAY, NOVEMBER 14, 2016 @ 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 Trujillo, Commissioner Butcher, Commissioner Sanchez, and Mayor Campos

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

Invocation: Mayor Campos gave the invocation.

Pledge of Allegiance: Mayor Campos led the pledge.

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

Approval of the Regular Meeting Minutes of October 24, 2016: Mayor Campos called for a motion. Commissioner Trujillo so moved to approve the regular meeting minutes of October 24, 2016; Commissioner Butcher seconded. Motion carried unanimously.

COMMISSIONER AND STAFF REPORTS:

- Public Works Director Duncan updated Commissioners of main line break on Main Street; two inner lanes will be closed, so hole can be backfilled.
- Finance Director Chapman stated auditors will be here all this week and updated Commissioners on Tyler software planning process.
- Commissioner Sanchez stated Donald Trump won the election and is the new President.
- Commissioner Butcher asked what the chaparral park house is being utilized for; City Manager Williams stated George Aranda, a park employee is residing in the house. George Aranda is a custodian of the park.
- Commissioner Trujillo is requesting for the City of Lovington to set up Christmas lights up earlier than usual to increase shopping downtown and to create a trend or slogan for Shop Lovington. Mayor Campos asked for an update on gas fuel up give away; City Manager Williams stated we have about 600 entries and we are still accepting entries until Friday at 11:30 am. Raffle will be held on Monday morning.

- Commissioner Gandy asked for City Manager Williams to update Commissioners on lighting issue at the baseball field; City Manager Williams stated that the commercial street baseball complex has some issues with a short in the system. An electrician is working on it, but lights are out until we can repair the problem.
- City Manager Williams reminded Commissioners to shop local on November 26, 2016 a day after black Friday. City Manager Williams updated Commissioners of meeting with DOT, Engineering Firm, and WHPacific. They are working on NM18 project on reconstruction of Main Street from Commercial and Main all the way to Gilmore Street; items discussed were the condition assessment of roads. City Manager stated planning is on track for tentative construction on spring of 2018 and staff is looking into water and sewer estimates for replacing line during the construction process.
- Commissioner Gandy thanked Lovington MainStreet for hosting the Halloween on the Plaza.
- Mayor Campos asked City Attorney McMahan if he could explain the possibility of municipality or obligated projects, in the upcoming Legislative in January, sweeping recovery of funds from the schools throughout the state; City Attorney McMahan stated he could have a full report for the next Commission meeting.

PUBLIC COMMENT:

Ron Price asked Commissioners and Staff who is responsible for the street lights on Washington Street by the County Courthouse; City Manager Williams stated at this time Lea County Electric is responsible and they are working on switching lights to have their own meters.

ACTION ITEMS:

Consider Ordinance 549: Amending Title 2 Administration and Personnel Chapter 2.92 Personnel Merit System of the Lovington Municipal Code – Section K annual leave and sick leave accruals: Mayor Campos called for a motion. Commissioner Trujillo so moved to consider Ordinance 549: Amending Title 2 Administration and Personnel Chapter 2.92 Personnel Merit System of the Lovington Municipal Code – Section K annual leave and sick leave accruals; Commissioner Gandy seconded. City Manager Williams stated this amends the existing Personnel Code to reflect annual and sick leave accruals for Police Officers; accruals do change due to the number of base hours worked annually. Overtime is calculated after Police Officer physically works an excess of 86 hours in a two week pay period. There being no further discussion; motion carried unanimously.

Consider Resolution 2016-102: Disposal of surplus property: Mayor Campos called for a motion. Commissioner Sanchez so moved to consider Resolution 2016-102: Disposal of surplus property; Commissioner Butcher seconded. City Manager Williams stated Resolution 2016-102 will authorize the disposal of items listed on Exhibit A by public auction and removed from the fixed asset list if necessary; staff is following disposition schedule. There being no further discussion; motion carried unanimously.

Consider Resolution 2016-103: Transfer of ownership of Police Department K-9: Mayor Campos called for a motion. Commissioner Butcher so moved to consider Resolution 2016-103: Transfer of ownership of Police Department K-9; Commissioner Sanchez seconded. Chief of Police Rodriguez stated K9 Dar has worked for the City for 13 years and has developed arthritis; the decision has been made to retire Dar. Chief of Police Rodriguez stated his handler Sergeant James Hay has requested the transfer of ownership of Dar. Chief of Police Rodriguez stated a new dog was donated from Clovis; the police department will have two dogs available, one to search for narcotics and the other for explosives. There being no further discussion; motion carried unanimously.

Consider Resolution 2016-104: Approval of Police Department Foot Pursuit Policy: Mayor Campos called for a motion. Commissioner Trujillo so moved to consider Resolution 2016-104: approval of Police Department Foot Pursuit Policy; Commissioner Gandy seconded. Chief of Police Rodriguez stated the purpose of this procedure is to develop basic guidelines for foot pursuit; training was 8 hours at the NMJC. There being no further discussion; motion carried unanimously.

Consider Resolution 2016-105: Approval of Police Department L.O.D.D. Policy: Mayor Campos called for a motion. Commissioner Trujillo so moved to consider Resolution 2016-105: approval of Police Department L.O.D.D. Policy; Commissioner Butcher seconded. Chief of Police Rodriguez stated the purpose of this directive is to provide guidelines for the notification and the support of families in the event that a line of duty death or serious injury to an employee of the Lovington Police Department occurs. There being no further discussion; motion carried unanimously.

Consider Resolution 2016-106: Approval of 2016-2017 Residential Road Improvement Projects: Mayor Campos called for a motion. Commissioner Butcher so moved to consider Resolution 2016-106: approval of 2016-2017 Residential Road Improvement Projects; Commissioner Trujillo seconded. City Manager Williams stated as discussed in previous Commission Meeting, the two projects recommended and referenced in this resolution are:

- 7th and Polk Drainage Project: Project begins at 8th and West Polk and Terminates at 6th and West Polk
- 6th Street Reconstruction: Project begins at 6th and West Avenue K and terminates at 6th and Brian Urlacher. Sidewalk improvements will be bid as an alternate phase.

City Manager Williams explained to Commissioners how the project will be phased out to accommodate with the budget and the school zones. Sandy Robinson thanked the Commissioners and City Manager Williams for being patient with her and in helping her in solving the flooding in her neighborhood with approving this project on 7th and Polk. There being no further discussion; motion carried unanimously.

Consider Resolution 2016-107: Approval of Engineering Services Agreement for Washington Street Project: Mayor Campos called for a motion. Commissioner Gandy so moved to consider Resolution 2016-107: Approval of Engineering Services Agreement for Washington Street Project; Commissioner Butcher seconded. City Manager Williams stated the Resolution 2016-107 will authorize the Mayor to execute the engineering services agreement for the Washington Streetscape Project; this project is being funded through a Capital Outlay Grant and a Transportation Alternative Grant. There being no further discussion; motion carried unanimously.

Consider Resolution 2016-108: Approval of Engineering Services Agreement for Multi-Use Trail: Mayor Campos called for a motion. Commissioner Trujillo so moved to consider Resolution 2016-108: Approval of Engineering Services Agreement for Multi-Use Trail; Commissioner Butcher seconded. City Manager Williams stated the Resolution 2016-108 will authorize the Mayor to execute the engineering services agreement for the Multi-Use Trail Project; this project is being funded through a Federal Rails to Trails Program and the design phase will end by September 2017. Commissioner Gandy expressed misunderstanding of citizens' concerns with this project. There being no further discussion; motion carried unanimously.

Consider Approval of Accounts Payable: Mayor Campos called for a motion. Commissioner Sanchez so moved to approve the accounts payable; Commissioner Butcher second. There being no further discussion, Mayor Campos called for a vote. Motion carried unanimously.

CLOSED SESSION:

At 6:09 p.m., Commissioner Trujillo moved to adjourn 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 – City owned commercial property, commercial leases and protest of water rights. Commissioner Sanchez seconded and a roll call vote was taken: Commissioner Gandy - Yes; Commissioner Trujillo - Yes; Commissioner Sanchez - Yes; Commissioner Butcher – Yes; and Mayor Campos - Yes.

At 6:37 p.m., Commissioner Trujillo so moved to adjourn 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 Gandy - Yes; Commissioner Trujillo - Yes; Commissioner Butcher - Yes; Commissioner Sanchez – Yes; and Mayor Campos - Yes.

ADJOURNMENT: There being no further business, Mayor Campos adjourned the meeting at 6:37 p.m.

APPROVED: _____
PAUL CAMPOS, MAYOR

ATTEST: _____
CAROL ANN HOGUE, CITY CLERK