

**REGULAR MEETING OF THE CITY COMMISSION
MONDAY, APRIL 10, 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 Sanchez, Commissioner Butcher, and Mayor Campos

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

Invocation: Commissioner Trujillo gave the invocation.

Pledge of Allegiance: Commissioner Trujillo 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 March 27, 2017: Mayor Campos called for a motion. Commissioner Sanchez so moved to approve the regular meeting minutes of March 13, 2017 as submitted; Commissioner Gandy seconded. Motion carried unanimously.

COMMISSIONER AND STAFF REPORTS:

- Public Works Director Duncan stated TLC was hired for moving of the utilities on the Judicial Complex; sewer is almost 100% complete and they are in the process of placing new utilities. UMC was awarded contract to change water meters and the change out process is a quarter of the way complete in change outs and half of the way complete in the books. Public Works director Duncan also gave an update on Green Machine and Street Yard fence project; Green Machine is down at the moment and is being serviced by Griffin and Diesel Supply. Street Yard fence project is 65% complete and is looking very well.
- Commissioner Butcher suggested pool netting should be removed; Manager Williams stated additional material is under consideration for net replacement.
- Finance Director Gary Chapman gave follow up on question from last meeting, stated CLS sewer equipment was at a high expense due to the vacuum truck needing maintenance and a mechanic had to come from

Richardson, TX to make repairs. Finance Director Chapman also informed Commissioners there will be a budget meeting on April 20, 2017; and meeting with Tyler Technologies on Wednesday April 12, 2017 at 2:00 p.m. to discuss issues and solutions for implementation of Incode Software.

- Commissioner Sanchez recommended to everyone who has not had the shingles shot to get one.
- Commissioner Gandy commended the community on the clean roads; encouraged residents to clean their curbs and walkway to Keep Lovington Beautiful.
- Fire Chief Lizardo reported inspection on new ambulance has been made; it should be in service by the beginning of May. Fire Chief Lizardo informed that the Fire Department will be hosting Skywarn Training on Tuesday, April 11 at the Troy Harris Building from 6:30 to 8:30 p.m.
- Manager Williams stated that he attended a DOT meeting with project designers for the MainStreet Project and they presented different options and ideas for the project, there will be another public meeting in about one month; preliminary design should be completed by fall 2017. Manager Williams also informed that a letter will be sent to NMDOT to perform a traffic light study on 5th Street and Avenue D for placement of stop light and on Main Street for placement of Deer Duff sign.

PUBLIC COMMENT:

Planning and Zoning Coordinator Ball informed that the Annual Cleanup Day will take place April 29, 2017 at 8:00 a.m. There will be food, entertainment, and a fundraiser auction. Everyone will meet in front of the museum.

NON ACTION ITEMS:

Discussion of 3rd Quarter Financial Report: Finance director Chapman stated revenues are projected to become short by 82% of what had been budgeted, cash service levels will need to be reduced in order to meet cash reserve requirement for the next Fiscal year. Commissioner Trujillo requested to get rate projections from insurance agency in order to know what is anticipated for the next Fiscal year. Finance Director Chapman informed that general liability auto insurance anticipated a 2% increase and health insurance anticipated a 5% increase.

ACTION ITEMS:

Consider Resolution 2017-34: Approval to advertise an Ordinance that amends Chapter 12.28 of the Lovington Municipal Code: Public Park Regulations: Mayor Campos called for a motion. Commissioner Trujillo so moved to consider Resolution 2017-34: Approval to advertise an Ordinance that amends Chapter 12.28 of the Lovington Municipal Code; Commissioner Butcher seconded. City Manager Williams stated part one of the ordinance allows special dispenser permits and public celebration permits to be issued for allocation within Chaparral Park and must be regulated by State

standards and approved by the City of Lovington; the serving of alcohol and public celebration permits will only be permitted for public events. Part two of the ordinance is to amend the rules of Chaparral Park to allow the use of non-powered watercraft. Managers Williams stated there will be no increase to insurance premium as long as there are signs stating to use at your own risk. Manager Williams explained the general rules and regulations for the operation of non-powered watercraft; informed of long term plan ideas for Chaparral Park and areas that may be used for docking of the watercraft. Ordinance was presented to the Parks and Recreation Board and they recommended approval from the Commission. Commissioner Sanchez abstained from voting. There being no further discussion; motion carried unanimously.

Consider Resolution 2017-35: Approval to advertise an Ordinance that approves State LEDA funds for the Drylands Brewery Project: Mayor Campos called for a motion. Commissioner Trujillo so moved to consider Resolution 2017-35: Approval to advertise an Ordinance that approves State LEDA funds for the Drylands Brewery Project; Commissioner Gandy seconded. City Manager Williams stated the State of New Mexico Economic Development Department has provided \$100,000 in funding to the Dryland Brewing Company project. In order to have access to this funding, the City is required to serve as a fiscal agent. Resolution 2017.35 will authorize the advertisement of an Ordinance that will authorize the City to execute an Intergovernmental Agreement between the City and State, as well as a Project Participation Agreement between the City and Drylands Brewing Company. Dryland Brewing Company is required by the Economic Development Department to create 10 new full time positions by December 31, 2022. If the facility was to close before the end of agreement Drylands Brewing Company would have to reimburse funds back to the City. Commissioner Sanchez abstained from voting. There being no further discussion; motion carried unanimously.

Consider Resolution 2017-36: Approval of CDBG Grant Agreement between the City and New Mexico Department of Finance: Mayor Campos called for a motion. Commissioner Butcher so moved to consider Resolution 2017-36: Approval of CDBG Grant Agreement between the City and New Mexico Department of Finance; Commissioner Sanchez seconded. Manager Williams stated Resolution 2017-36 will authorize the execution of the CDBG Grant Agreement between the City of Lovington and NM Department of Finance Local Government Division. This grant will provide \$497,949.00 in funding for ADA compliant sidewalks, streets, and drainage construction and improvements on West Jefferson, 2nd Street, and Avenue H. There being no further discussion; motion carried unanimously.

Consider Resolution 2017-37: Parks and Recreation Board Appointments: Mayor Campos called for a motion. Commissioner Sanchez so moved to consider Resolution 2017-37: Parks and Recreation Board Appointments; Commissioner Butcher seconded. Manager Williams stated Parks and Recreation board member Marla Price advised that LHS Principal made recommendation for two students at LHS to be appointed to the Parks and Recreation Board. Manager Williams made recommendation to table

resolution until staff contacts individuals and explains responsibilities to them. Commissioner Sanchez amended his motion to table resolution 2017-37; Commissioner Butcher seconded; there being no further discussion; motion carried to table resolution.

Consider Resolution 2017-38: Approval of Bennett’s Amusements Carnival May 11 thru 15, 2017: Mayor Campos called for a motion. Commissioner Trujillo so moved to consider Resolution 2017-37: Approval of Bennett’s Amusements Carnival May 11 thru 15, 2017; Commissioner Sanchez seconded. Manager Williams states Resolution 2017-38 will authorize Bennett’s Amusements Carnival to be conducted at 900 West Avenue D on May 11 to May 15, 2017. Manager Williams stated Carnival must meet carnival ride insurance act and must be licensed by the State. There being no further discussion; motion carried unanimously.

Consider Resolution 2017-39: Revocation of Bid Award for Polk Water Tower Exterior Painting: Mayor Campos called for a motion. Commissioner Gandy so moved to consider Resolution 2017-37: Revocation of Bid Award for Polk Water Tower Exterior Painting; Parks and Recreation Board Appointments; Commissioner Trujillo seconded. James Williams stated staff is recommending the revocation of the bid award to TMI Coatings for the Polk Avenue Water Tower painting project. This recommendation is based upon review of the services contract. Manager Williams stated that the contract with TMI Services was reviewed and hidden cost were found; Public Works director Duncan stated he has requested contract documents from the next lowest bidder and is reviewing information. There being no further discussion; motion carried unanimously.

Consider Resolution 2017-40: Lodgers Tax 3rd Quarter Funding: Mayor Campos called for a motion. Commissioner Trujillo so moved to consider Resolution 2017-40: Lodgers Tax 3rd Quarter Funding; Commissioner Sanchez seconded. Manager Williams presented the Lodgers Tax Board recommendations and request for the Lodgers Tax Funding. City Manager Williams informed Commissioners of Lodgers Tax Board meeting held on April 5, 2017 and their final funding recommendations as such:

Chamber of Commerce – Easter Run	\$	2,900.00
Chamber of Commerce – Party in the Park	\$	1,500.00
Lovington MainStreet – Smokin’ on the Plaza	\$	10,000.00
Lovington MainStreet –Live on Love Street	\$	10,000.00
Lea County Museum – NM Film Foundation Festival	\$	0.00
Lea County Museum – 2 nd Annual July 4 Fun Run	\$	0.00
Lea County Museum – LHS 40 th Class Reunion	\$	982.63
Lea County Museum – Gary McElea Wildlife Photography	\$	4,666.96
Lea County Museum – LCM Classic Film Feature	\$	1,191.07
EDC – Cinco De Mayo Festival	\$	2,900.00
LCFA – Access to Hollywood Film Festival	\$	\$0.00

TOTAL: **\$ 33,790.66**

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 Butcher seconded. There being no further discussion, motion carried unanimously.

CLOSED SESSION:

At 6:26 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: Employee Resignation. Commissioner Butcher seconded, a roll call vote was taken: Commissioner Gandy – Yes, Commissioner Trujillo - Yes; Commissioner Sanchez - Yes; Commissioner Butcher – Yes, and Mayor Campos - Yes.

At 6:35 p.m., Commissioner Gandy 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 Sanchez seconded and a roll call vote was taken: Commissioner Sanchez – Yes, Commissioner Trujillo – Yes, Commissioner Gandy – Yes, Commissioner Butcher – Yes, and Mayor Campos – Yes.

ADJOURNMENT:

There being no further business, Mayor Campos called for a motion to adjourn the meeting; Commissioner Gandy so moved. Meeting adjourned at 6:36 p.m.

APPROVED: _____
PAUL CAMPOS, MAYOR

ATTEST: _____
ANNA JUAREZ, CITY CLERK