

**REGULAR MEETING OF THE CITY COMMISSION  
MONDAY, JUNE 8, 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 Finance Director Gary Chapman, City Clerk Carol Ann Hogue, City Planner Merideth Hildreth and Administrative Assistant Anna Juarez

**Invocation:** Commissioner Butcher gave the invocation

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

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

**Approval of the Regular Meeting Minutes of May 26, 2015:** Mayor Gandy called for a motion. Commissioner Campos so moved to approve the regular minutes of May 26, 2015; Commissioner Trujillo seconded. Roll call was taken: Commissioner Campos – Yes, Commissioner Trujillo – Yes, Commissioner Butcher – Yes, Commissioner Bengé – Yes, and Mayor Gandy – Yes.

**COMMISSIONER AND STAFF REPORTS:**

- Finance Director Chapman informed Commissioners of auditors arrival for preliminary audit on July 6 and 7 and final audit work will be November 2, 2015
- Commissioner Campos attended an open meeting act block, meeting pertained to providing detail on advertisement on statement defining reason of specificity for what the close session is about; City Attorney McMahon stated it depends on difference of opinion, but would not be difficult to adjust without giving too much detail as far as close session
- Commissioner Trujillo asked about fireworks concerning drought; City Manager Williams stated drought resolutions needs to be done 30 days before the legal sales, but there is not a concern for drought
- Assistant City Manager Cobb stated ARC completed editing of comprehensive plan; plan is online for anyone to review
- City Manager Williams informed Commissioners:

- Smart big bellies have been set up; a dual unit on Central & Main, a single compactor on Central & Washington, and a dual unit on Avenue D Park; software training on Wednesday for parks department.
- Legislative convened and passed capital outlay bill to help fund ICIP projects
- Advertisement for Public Works Director and Facility Maintenance have been published in newspaper; interview next Friday looks promising
- Sherman Fulfer requested a recommendation to LCCA board to serve on board to work on GPA's; Commissioners recommended Assistant Police Chief

**NON-ACTION ITEMS:**

**Discussion of Street Closures and Block Parties:** City Manager Williams informed Commissioners of recent requests for block parties. City Manager Williams stated a staff has created a permit application which will require certain criteria's to be met prior to event. City Manager Williams discussed permit: resident needs to make request and provide proof, limit to one block, hours of operation, and party attendances. City Manager Williams discussed operational requirements, technical requirements, circumstances in which a street event/block party permit shall not be issued and application process. Commissioners were in an agreement to allow staff to make decision to allow or not allow street event/block party venue. Commissioners discussed resident petition, limiting number of block party's per day, consecutive blocks, overtime, and increase in patrol; re-evaluating permit if needed in the future. City Manager Williams stated on June 22, 2015 application will be ready for adoption.

**ACTION ITEMS:**

**Consider Approval of Resolution 2015-51: Five Year Charge Off's for Uncollectable Ambulance Accounts:** Mayor Gandy called for a motion. Commissioner Campos so moved to consider approval of resolution 2015-51: Five Year Charge Off's for Uncollectable Ambulance Accounts; Commissioner Butcher seconded. Fire Chief Lizardo addressed Commissioners of non-collectable ambulance accounts that are older than five years; all efforts to collect on these accounts have been exhausted. Write off amount of \$79,483.88. 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 2015-52: SERTPO Committee Appointments:** Mayor Gandy called for a motion. Commissioner Butcher so moved to consider resolution 2015-52: SERTPO Committee Appointments; Commissioner Trujillo seconded. City Manager Williams addressed Commissioners of approval of resolution which will re-appoint City Manager to represent the City in the Southeast Regional Transportation and Planning Organization which meet 3 or 4 times a year in Roswell. There being no further discussion, a roll call was taken: Commissioner Campos – Yes, Commissioner

Benge – Yes, Commissioner Butcher – Yes, Commissioner Trujillo – Yes, and Mayor Gandy – Yes. Motion was approved.

**Consider Approval of Resolution 2015-53: Approval of Non-Metro Area Agency on Aging Nutritional Service Incentive Program Agreement and Direct Purchase of Services Vendor Agreement:** Mayor Gandy called for a motion. Commissioner Benge so moved to consider approval of Resolution 2015-53: Approval of Non-Metro Area Agency on Aging Nutritional Service Incentive Program Agreement and Direct Purchase of Services Vendor Agreement; Commissioner Trujillo seconded. City Manager Williams addressed Commissioners of approval of resolution 2015-53 which will authorize the City Manager to execute the Nutritional Service Incentive Program Agreement and Direct Purchase of Services Vendor Agreement with Non-Metro Area Agency on Aging; agreements provide the State and Federal Grant funding utilized to operate the Senior Citizens Center. There being no further discussion, a roll call was taken: Commissioner Benge – Yes, Commissioner Trujillo – Yes, Commissioner Butcher – Yes, Commissioner Campos – Yes, and Mayor Gandy – Yes. Motion was approved.

**Consider Approval of Resolution 2015-54: Lovington MainStreet Alcohol and Gaming Public Celebration Permit for Smokin' on the Plaza:** Mayor Gandy called for a motion. Commissioner Trujillo so moved to consider approval of Resolution 2015-54: Lovington MainStreet Alcohol and Gaming Public Celebration Permit for Smokin' on the Plaza; Commissioner Campos seconded. City Manager Williams addressed Commissioners of request to approve resolution which will allow for the operation of a beer garden in the parking lot located between the Lea Theater and Lister Building; Santa Fe Brewing Company will be operating the beer garden during the Smokin' on the Plaza event. Event will be held on June 19-20, 2015. There being no further discussion, a roll call was taken: Commissioner Benge – Yes, Commissioner Trujillo – Yes, Commissioner Butcher – Yes, Commissioner Campos – Yes, and Mayor Gandy – Yes. Motion was approved.

**Consider Award of Bid for Medical Director Services:** Mayor Gandy called for a motion. Commissioner Trujillo so moved to consider award of Bid for Medical Director Services; Commissioner Campos seconded. Fire Chief Lizardo addressed Commissioners of recommendation for approval of Patrick Homer, D.O. for Medical Direction Services for the EMS Division of the Fire Department; only one bid was received. There being no further discussion, a roll call was taken: Commissioner Campos – Yes, Commissioner Trujillo – Yes, Commissioner Butcher - Yes, Commissioner Benge – Yes, and Mayor Gandy – Yes. Motion was approved.

**Consider Award of Bid for Consultant Pharmacist Services:** Mayor Gandy called for a motion. Commissioner Trujillo so moved to consider award of bid for Consultant Pharmacist Services; Commissioner Benge seconded. Fire Chief Lizardo addressed Commissioners of recommendation for approval of Michael Rayburn for Consultant Pharmacist Services for the Fire Department as well as Animal Services; only one bid was received. There being no further discussion, a roll call was taken: Commissioner Butcher

– Yes, Commissioner Bengé – Yes, Commissioner Trujillo – Yes, Commissioner Campos – 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 Trujillo second. 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.

**PUBLIC COMMENT:** NONE

**CLOSED SESSION:**

At 6:20 p.m., Commissioner Campos 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 for the purposes of discussing the Lovington Industrial Park and vacation of undeveloped streets and alleys. Commissioner Butcher seconded and a roll call vote was taken: Commissioner Campos - Yes; Commissioner Trujillo - Yes; Commissioner Bengé - Yes; Commissioner Butcher – Yes; and Mayor Gandy - Yes.

At 6:43 p.m., Commissioner Campos 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 Trujillo seconded and a roll call vote was taken: Commissioner Bengé - Yes; Commissioner Trujillo - Yes; Commissioner Butcher - Yes; Commissioner Campos – Yes; and Mayor Gandy - Yes.

**ADJOURNMENT:**

There being no further business the meeting adjourned at 6:44 p.m.

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

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