

**REGULAR MEETING OF THE CITY COMMISSION
MONDAY, MARCH 11, 2013 @ 5:30 P.M.
CITY COMMISSION CHAMBERS, 214 S. LOVE STREET**

Present and answering roll call: Mayor Drummond, Commissioners Trujillo, Bengé, Gandy and Granath.

Not Present: Chief of Police Bryant

Also present: City Manager Williams, Detective Rodriguez, City Attorney McMahon, City Clerk Hogue, Administrative Assistant Gutierrez and Finance Director Stephens.

Call to Order: The meeting was called to order by Mayor Drummond at 5:30 p.m.

Invocation: Mayor Drummond gave the invocation

Pledge of Allegiance: Mayor Drummond led the pledge

Approval of Agenda: Mayor Drummond asked for a motion to approve the agenda as submitted. Commissioner Trujillo so moved. Commissioner Bengé seconded. Motion was approved.

Approval of the Regular Minutes of February 25, 2013: Mayor Drummond asked for a motion for approval of the regular minutes of February 25, 2013. Commissioner Gandy so moved. Commissioner Bengé seconded. Motion was approved.

NON-ACTION ITEMS:

Discussion of Public Hearing Date for Restaurant Beer & Wine License Application: Mayor Drummond stated that City Manager Williams received a certified letter from NM Regulation & Licensing Division for a beer & wine application requested by Francisco J. Hernandez dba Taqueria Jalisco 928 W. Ave D, Lovington, NM. Mrs. Drummond stated that a public hearing needs to be set. Commissioner Gandy requested a separate meeting that is set for March 28, 2013 @ 5:30 p.m. A public hearing notice has been published in the Lovington Leader.

Discussion of Vendor License Fees: Mayor Drummond mentioned that there have been complaints of vendors selling in the downtown area. City Clerk Hogue stated that a vendor license cost \$500 and they need to have a \$5,000 bond in place. Raelynn Stuart addressed the Commissioners that vendors are not establishing connections with our town. Vendors should have a written permission from the property owners and to insure they are paying gross receipts. Linda Pritchett dba Johnnie's Floral also addressed the Commissioners that all vendors need to contribute to paying taxes. Commissioner Trujillo suggested assessing penalties to all vendors who do not pay gross receipts. Mayor Drummond asked Mr. Williams to look into the State Regulations. Elaine Vigil

addressed the Commissioners and mentioned that all the vendors are deteriorating downtown Mainstreet. She suggested having all vendors move to a flea market area down on East Ave D.

ACTION ITEMS:

Consideration of Approval of Central Plaza NMDOT Contract Amendment: City Manager Williams received an amendment from the NMDOT in regards to the Central Plaza Enhancement project. The reason for the amendment is due to having to move the funding from the 2011/2012 cycle to the 2012/2013 funding cycle. Grant fund of \$262,500 to the City. The local 25% match is \$87,500 for a project total of \$350,000. Mayor Drummond called for a motion to approve the amendment. Commissioner Trujillo so moved. Commissioner Granath seconded. Motion was approved.

Consideration of Approval of Equipment Use at Chaparral Park: City Manager Williams received a request from Danny Kirkpatrick of First Baptist Church in regards to using a Jumper/Bounce House at Chaparral Park on May 30, 2013. Mayor Drummond called for a motion to approve the equipment use at the park. Commissioner Trujillo so moved. Commissioner Gandy seconded. Connie Sevier of Western States Insurance addressed the Commissioners she stated that jumpers are excluded from liability. Commissioners Trujillo & Gandy withdrew motion. Commissioner Gandy made motion to table until later date to get further information on insurance policy. Commissioner Granath seconded. Motion was approved.

Consideration of Approval of Replat at 119 E. Simpson Dr: Mayor Drummond called for a motion to approve the replat at 119 E. Simpson Dr. property. MaryAnn Marquez attended the meeting requested by P&Z committee. Commissioner Trujillo so moved. Commissioner Granath seconded. Motion was approved.

Consideration of Approval of Variance at 1801 N. Main St: Mayor Drummond called for a motion to approve the variance at 1801 N. Main St requested by Catalyst Oilfield. Commissioner Trujillo so moved to approve the variance if the sale of property is contingent. Commissioner Gandy seconded. Motion was approved.

Consideration of Approval of Accounts Payables: Mayor Drummond called for a motion to approve the accounts payables submitted. Commissioner Granath so moved. Commissioner Gandy seconded. Motion was approved.

PUBLIC COMMENT:

Mayor Drummond called for public comment:

- Evelyn Holguin of EDC introduced Jack Allston of JBA & Associates, LLC of Rio Rancho, New Mexico. Mr. Allston will be doing large strategic planning workshop on strengths & weakness for the City of Lovington. This plan is for the board-industrial, community developments, etc. MainStreet qualifies as a MRA.

- Kallie Richards mentioned to the Commissioners that Senate Bill 479 & 480 in the House passed Senate it requires approval of State Engineer for pre-approved planning.

CLOSED SESSION:

At 6:15 p.m., Commissioner Trujillo moved to adjourn Regular Session and convene in Closed Session Pursuant to Section 10-15-1 NMSA 1978, Subsection H-7 Pending Litigation and Subsection H-8-Discussion of the purchase, acquisition, or disposal of real property. Commissioner Gandy seconded and a roll call vote was taken: Mayor Drummond, aye; Commissioner Trujillo, aye; Commissioner Bengé, aye; Commissioner Gandy, aye; and Commissioner Granath, aye.

At 6:30 p.m., Commissioner Granath moved to adjourn Closed Session and reconvene in Regular Session stating that matters discussed were limited only to those specified in the motion for closure and no action was taken. Commissioner Gandy seconded and a roll call vote was taken: Mayor Drummond, aye; Commissioner Trujillo, aye; Commissioner Bengé, aye; Commissioner Gandy, aye; and Commissioner Granath, aye.

OTHER: City Manager Williams:

- MainStreet 101 will be on Thursday, March 14, 2013 from 12:00 p.m. to 1:00 p.m.
- Day of Service will be March 16, 2013 @ 9:00 a.m. - all employees will work on Ave D Park to give back to the community.
- Asked Commissioners if they would honor agreement with Dan’s trucking water service.
- Last wind tore down swimming pool fence on West side- fencing company coming down tomorrow.
- Light pole was damaged at softball complex and will be replaced.

ADJOURNMENT:

There being no further business the meeting adjourned at 6:40 p.m.

APPROVED: _____
DIXIE DRUMMOND, MAYOR

ATTEST: _____
CAROL ANN HOGUE, CITY CLERK