

**REGULAR MEETING OF THE CITY COMMISSION  
MONDAY, APRIL 22, 2013 @ 5:30 P.M.  
CITY COMMISSION CHAMBERS, 214 S. LOVE STREET**

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

**Also present:** City Manager Williams, Chief of Police Bryant, 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 Benge seconded. Motion was approved.

**NON-ACTION ITEMS:**

**Discussion of Commission Budget Work Session:** City Manager Williams addressed the Commissioners of the FY14 Budget and to request a day/time to schedule a work session prior to the regular City Commission meeting on May 28, 2013. The Commissioners decided to set a day/time which will be on May 7, 2013 at 5:30 p.m. The work session will be published in the Leader.

**Discussion of Library Board Appointment:** The Library Committee submitted to reappoint Imogene Hanners to the Library Board for a five year term. No action was taken at this time. Consideration of approval will be on the next regular meeting on May 13, 2013.

**Discussion of Condemnation of Property - 422 N. Chaves:** City Manager Williams addressed the Commissioners about the open sewer problems at this location. He stated that if condemned this will be an expense for the City. Code Enforcer Brock provided the Commissioners with photos of the problems at this property. Brock wishes to move forward to condemn this property with the approval of the Commissioners. The Commissioners approved to move forward.

**ACTION ITEMS:**

**Consideration of Approval of Equipment Use at Chaparral Park – May 4, 2013:** Beatriz Morales and Alondra Jimenez on behalf of Iglesia Ministerio Vida addressed the Commissioners to request permission to hold a community event, which will utilize a bounce house, at Chaparral Park on May 4, 2013 from 5:00 p.m. to 9:00 p.m. Mayor Drummond asked for a motion to approve request. Commissioner Trujillo so moved. Commissioner Granath seconded. Motion was approved.

**Consideration of Approval of Vacating Parcels in Apaula Heights Addition:** Mayor Drummond called for a motion to approve to vacate parcels 1, 2, 3 & 4 of the Apaula Heights Addition. The Planning & Zoning board made the recommendation to vacate the specified parcels so that the final steps to approve the Sunrise Addition may be performed. Commissioner Bengé so moved. Commissioner Trujillo seconded. Motion was approved.

**Consideration of Approval to Advertise Ordinance 506:** City Manager Williams addressed the Commissioners that a draft of the Lovington Affordable Housing Ordinance was approved by the NM Mortgage Finance Authority. The City is requesting authority to advertise the ordinance. Mayor Drummond called for a motion to approve advertisement of Ordinance 506. Commissioner Trujillo so moved. Commissioner Gandy seconded. Motion was approved.

**Consideration of Approval to Advertise Ordinance 507:** City Manager Williams addressed the Commissioners about establishing the Lovington Parks & Recreation Board which represents the community at large and not any specific recreational organization and encourage the general use of parks and recreation programs including cooperation with other agencies and organizations that are involved in providing recreation services for the public good. Mayor Drummond called for a motion to approve the request for advertisement of Ordinance 507. Commissioner Bengé so moved. Commissioner Granath seconded. Motion was approved.

**Consideration of Approval to Advertise Ordinance 508:** City Manager Williams addressed the Commissioners to modify and amend the Business Licenses and Regulations section of the Municipal Code. The City incorporated a mobile business permit for use by established businesses who wish to conduct mobile business operations. A mobile business fee of \$100 per year and the vendor license would cost \$500 for a period of 7 consecutive days. The violation fee increased from \$300 to \$500 per violation. Linda Pritchett stated to the Commissioners that the ordinance still does not address taxes that the vendor should pay to the City. Mrs. Pritchett suggested to Commissioners to place the vendors in a building and have them pay their taxes. Elaine Vigil stated that there should not be any vendors in the downtown area of Lovington. Kallie Richards suggested raising the vendor licenses to \$2,500. Mayor Drummond called for a motion to approve the request for advertisement of Ordinance 508. Commissioner Trujillo so moved. Commissioner Granath seconded. Motion was approved.

**Consideration of Approval to Advertise Ordinance 509:** City Manager Williams addressed the Commissioners to modify and amend the industrial water rates to incorporate the definition that an industrial water rate will be collected for businesses that obtain service for use in production or manufacturing services on the site of their place of business. A new chapter, 13.12.068 has been established that states that a rate of \$7.10 for the first 1,000 gallons or less, and each additional 100 gallons at \$0.67. Mayor Drummond called for a motion to approve the request for advertisement of Ordinance 509. Commissioner Bengé so moved. Commissioner Gandy seconded. Motion was approved.

**Consideration of Approval to Advertise Ordinance 510:** City Manager Williams addressed the Commissioners to modify and amend Chapter 8.28. Nuisances - Notice to Abate and Removal of Nuisance by City – Lien. Mayor Drummond called for a motion to approve the request for advertisement of Ordinance 510. Commissioner Bengé so moved. Commissioner Gandy seconded. Motion was approved.

**PUBLIC COMMENT:**

- Manuel Ibarra of St. Thomas Catholic Church invited the Commissioners to participate in the National Day of Prayer 2013 to read the bible for 15 minutes on May 1, 2013 at 6:00 a.m. to midnight and May 2, 2013 at 12:01 a.m. to 4:00 p.m. at the courthouse lawn located at 100 N. Main, Lovington, NM.
- Kallie Richards invited the Commissioners to participate in the Lovington Beautification Day, April 27, 2013 at 8:00 a.m. to 11:00 a.m.

**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-8, Regarding the purchase, acquisition or disposal of real property or water rights. 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 6:40 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:**

- Commissioner Gandy attended the NMML District 5 meeting in Roswell, NM.
- Commissioner Bengé mentioned that weeds are growing around the Welcome to Lovington sign.
- City Manager Williams mentioned the Lea County Courthouse & Judicial Complex Master Plan will be Wednesday, April 24, 2013 at Lovington Chamber of Commerce, 201 S. Main, Lovington, NM from 5:00 p.m. to 8:00 p.m.

**ADJOURNMENT:**

There being no further business the meeting adjourned at 6:50 p.m.

**APPROVED:** \_\_\_\_\_  
**DIXIE DRUMMOND, MAYOR**

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