

**REGULAR MEETING OF THE CITY COMMISSION
MONDAY, JULY 8, 2013 @ 5:30 P.M.
CITY COMMISSION CHAMBERS, 214 S. LOVE STREET**

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

Also present: City Manager James Williams, Assistant City Manager Jared Cobb, Finance Director Mashell Stephens, City Clerk Carol Ann Hogue, Chief of Police Danny Bryant and City Attorney Patrick McMahon.

Not Present: Administrative Assistant Imelda Gutierrez

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 Gandy seconded. Motion was approved.

Approval of the Regular Minutes of June 24, 2013: Mayor Drummond asked for a motion for approval of the regular minutes of June 24, 2013. Commissioner Benge so moved. Commissioner Trujillo seconded. Motion was approved.

NON-ACTION ITEMS:

Discussion of Water Shut Off Policy/ Ordinance: City Manager James Williams addressed the Commissioners to determine if the City should implement a policy or adopt an ordinance. Water bills are mailed out the third week of each month and are due by the 10th of the following month and will incur a 5% penalty late fee if payment is received after the 10th, and will be disconnected if the balance is not paid, or an extension request is not granted, by the 26th. A \$50 reconnection fee will be added to the bill. This fee applies regardless of whether the service has been disconnected; the process of compiling the turn off list requires extensive staff time and it would be unfair to shift this cost off to other customers. Payment extensions will only be allowed twice per calendar year. Customers who request an extension will be given an additional 30 days to pay their balance in full, but will still incur the 5% late penalty. If the balance remains unpaid after the extension, service will be disconnected and will not be reinstated until the balance is paid in full, along with the \$50 reconnect fee. All extensions will require the customer to complete a Payment Extension Request Form. These forms will be kept on file until January 1st of the following year. Mayor Drummond and Commissioner Benge would rather have a policy instead of an ordinance right now. This item will be addressed in the next regular meeting. No action taken.

ACTION ITEMS:

Consideration of Approval of Planning & Zoning Board Appointment: Mayor Drummond called for a motion to approve the Planning & Zoning Board Appointment. The Board Members have recommended Bobby Kimbro to serve on the Board for a four year term. The appointment of Mr. Kimbro would allow for one of our local utility companies to be represented. Commissioner Trujillo so moved. Commissioner Gandy seconded. Motion was approved.

Consideration of Approval of the Agreement between the City & the Area Agency on Aging: Mayor Drummond called for a motion to approve the agreement between the City & the NCNMEDD Area Agency on Aging. This agreement provides funding for Senior Citizen meals, transportation, case management, and activities. The total funding received will not exceed \$166,748. Commissioner Benge so moved. Commissioner Gandy seconded. Motion was approved.

Consideration of Approval of Resolution 070813-01-Approval to Sign Contracts with Non Metro Area Agency on Aging: Mayor Drummond called for a motion to approve the Resolution 070813-01. In order to fulfill the requirements specified in the agreement between the City and the Area Agency on Aging, resolution 070813-01 must be adopted. Commissioner Trujillo so moved. Commissioner Granath seconded. Motion was approved.

Consideration of Approval of Resolution 070813-02-PERA Plan Change: Mayor Drummond called for a motion to approve Resolution 070813-02. City Manager Williams stated that upon PERA review of the recent resolution, it was discovered that they had provided us with the incorrect version. This document must be received by PERA prior to July 19, 2013. Once resolution 070813-02 is approved and submitted, the election will be conducted no less than 30 days from the date it was adopted. The election will be on August 21, 2013. Commissioner Benge so moved. Commissioner Granath seconded. Motion was approved.

Consideration of Approval of Temporary Restroom Services Contract: Mayor Drummond called for a motion to approve the Temporary Restroom Services Contract with Lea County Septic Tank Service. The term of the agreement would begin upon signing and terminate on August 31, 2013. The City has an option to renew at the same terms if they choose to do so, with the length of time begin specified by the City. The agreement consists of 2 units at \$250 one time setup fee and \$70 per week. Commissioner Granath so moved. Commissioner Gandy seconded. Motion was approved.

Consideration of Approval of Temporary Closure of 1st Street between Polk & Harrison, July 27, 2013: Mayor Drummond called for a motion to approve the Temporary Street Closure for a birthday party. Margie Ibarra requested a temporary street closure at 909 N. 1st St. from 3 p.m. – 9 p.m. Mrs. Ibarra will be obtaining letters from her neighbors stating they have no objections to the temporary closure. Commissioner Granath so moved. Commissioner Trujillo seconded. Commissioner Granath withdrew the motion due to no letters from the neighbors were submitted. Commissioner Gandy so moved to table this request until letters from the neighbors have been submitted. Commissioner Trujillo seconded. Motion was approved.

Consideration of Approval of Lodger's Tax Board Recommendations: Mayor Drummond called for a motion to approve the Lodger's Tax Board Recommendations. The funds were allocated as followed:

- Lovington Chamber of Commerce - \$5,600
- Lovington MainStreet - \$8,000
- Lea County Museum - \$8,000

Total \$ 21,600

Commissioner Trujillo so moved. Commissioner Granath seconded. Motion was approved.

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

PUBLIC COMMENT: None

CLOSED SESSION:

At 5:50 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-Discussion of threatening or pending litigation. Commissioner Gandy seconded and a roll call vote was taken: Mayor Drummond, aye; Commissioner Trujillo, aye; Commissioner Benge, aye; Commissioner Granath, aye; and Commissioner Gandy, aye.

At 6:05 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 and no action was taken. Commissioner Trujillo seconded and a roll call vote was taken: Mayor Drummond, aye; Commissioner Trujillo, aye; Commissioner Benge, aye; Commissioner Granath, aye; and Commissioner Gandy, aye.

OTHER:

- Commissioner Granath mentioned that the Kiwanis Club will be having a boxing match in October to raise funds for the Ave D Park.
- Commissioner Gandy stated that the Fireworks Display and the Fun Run was awesome. The traffic, including the 18 wheelers was driving on closed roads at Ave D & Commercial. Maybe do something different next year to address the traffic.
- Commissioner Trujillo asked the Assistant City Manager Jared Cobb to give a vision of what are the future plans or projects at the next meeting.
- City Manager Williams addressed the Commissioners about the Parks & Recreation Board meeting that was held on June 25, 2013. They discussed about the master plan for the Parks & Recreation. Mr. Williams mentioned that the Wastewater has received their Wash Truck. The Farmer's Market is growing and is being held every Saturday morning. He would like to make plans to find funds for Electronic fireworks for next year. Pizza Hut requested a Beer & Wine license and is scheduled for a public meeting on July 22, 2013 @ 7 p.m. The Ipads are in and ready to schedule a hands-on or a one-on-one training. The Fire Department sirens will be tested on a monthly basis and will be published to alert the residents.

ADJOURNMENT:

There being no further business the meeting adjourned at 6:20 p.m.

APPROVED: _____

DIXIE DRUMMOND, MAYOR

ATTEST: _____

CAROL ANN HOGUE, CITY CLERK