

**REGULAR MEETING OF THE CITY COMMISSION
MONDAY, AUGUST 12, 2013 @ 5:30 P.M.
CITY COMMISSION CHAMBERS, 214 S. LOVE STREET**

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

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

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

Invocation: Commissioner Bengé gave the invocation

Pledge of Allegiance: Commissioner Bengé led the pledge

Approval of Agenda: Mayor Drummond asked for a motion to approve the agenda as submitted. Commissioner Bengé so moved to add a Closed Session - Pursuant to Section 10-15-1 NMSA 1978, Subsection H-2 limited personnel matters after public comment. Commissioner Trujillo seconded. Motion was approved.

Approval of the Regular Minutes of July 22, & Called Minutes of July 22, 2013: Mayor Drummond asked for a motion for approval of the regular minutes of July 22, & Called Minutes of July 22, 2013. Commissioner Trujillo so moved. Commissioner Gandy seconded. Motion was approved.

NON-ACTION ITEMS:

Discussion of County Judicial Complex Workshop: Mayor Drummond stated that Lea County conducted a workshop with their Board of Commissioners on July 25, 2013. Mayor Drummond does not agree to close Love Street. A walkway will not be easy to do because the courthouse is a historical marker. City Manager Williams discussed different other options to be considered. An average emergency impact on response time is 52.7 seconds. Commissioner Gandy stated that Main Street will be more congested if they closed Love Street. Commissioner Trujillo wants to reconstruct Love Street. John Graham stated that nobody has discussed traffic. No action was taken.

Discussion of Assistant City Manager Report: Assistant City Manager Jared Cobb addressed the Commissioners stating that at the July 8th City Commission meeting, Commissioner Trujillo requested a report on his goals for the City and a related work plan. The following plans are:

- Complete new Planning & Zoning application & staff checklists to improve development process
- Review the audit report, financial policies, procedures, & assist with the resolution of audit findings
- Prepare New Mexico Finance Authority Planning Grant application to update the comprehensive plan
- Assist planning consultant with the development of the comprehensive plan
- Assist departments with the development of annual work plans to accomplish comprehensive plan goals
- Review budget process and identify opportunities to link resources with annual work plans
- Draft policies and procedures to support the goals identified in the comprehensive plan

Discussion of Water Meter Service Connection Fees: Mayor Drummond stated to the Commissioners that the water meter fees were established in April of 2005. City Manager James Williams addressed the Commissioners stating that the Water Department has brought to management attention of the cost for one inch meters far exceeds what the connection fee is that we are currently charging. Lovington Municipal Code 13.12.070 does not allow for connection charges to be reviewed and updated on a quarterly basis in order to reimburse the City for the cost of providing such connections. The Water Department has suggested increasing the water connection fee for 1” meters to \$1,000 in order to recoup the cost of the meter, staff time, and equipment use. The Water Department polled other surrounding communities to determine their current water connection fees. This change will only affect new connections. This will have no impact on the monthly water rates. Mayor Drummond asked City Manager Williams to add the item as an action item on the next regular meeting. No action taken.

ACTION ITEMS:

Consideration of Approval of Selection of Voting Delegate & Alternate for NMML Annual Business Meeting: Mayor Drummond called for a motion to approve the selection of voting delegate & alternate for NMML Annual Business Meeting. Mayor Drummond nominated Commissioner Trujillo & Commissioner Benge. Commissioner Gandy so moved to elect Commissioner Trujillo as Voting Delegate & Commissioner Benge as Alternate. Commissioner Trujillo seconded. Motion was approved.

Consideration of Approval of Resolution 081213-01 End of Year Budget Increases: Mayor Drummond called for a motion to approve Resolution 081213-01 End of Year Budget Increases. The Budget increases are necessary due to the increase in revenues, unanticipated expenses with cash on hand and grant funds that were received. Commissioner Gandy so moved. Commissioner Benge seconded. Motion was approved.

Consideration of Approval of Resolution 081213-02- Inter Budget Transfers: Mayor Drummond called for a motion to approve the Resolution 081213-02 Inter Budget Transfers. The transfers are necessary due to unanticipated expenses with available budgeted funds in line items. Funds will be transferred from other line items in which budgeted funds were not completely expended. Commissioner Trujillo so moved. Commissioner Gandy seconded. Motion was approved.

Consideration of Approval of Resolution 081213-03- Intra Budget Transfers: Mayor Drummond called for a motion to approve Resolution 081213-03 Intra budget Transfers. The transfers are necessary due to unanticipated expenses with available budgeted funds in line items in various budgets. Funds will be transferred from funds in which budgeted funds were not completely expended. Commissioner Gandy so moved. Commissioner Benge seconded. Motion was approved.

Consideration of Approval of Award of Bid for Grave Digging Services: Mayor Drummond called for a motion to approve the Award of Bid for Grave Digging Services to D & T Backhoe Service. The contract will be in place for three years, with the ability of the City to extend for one additional year. Bids were opened at 2 p.m. on July 31, 2013. The City only received one bid for these services. The following prices for the following, including vault are:

- Baby Interment: \$150.00
- Regular Interment: \$400.00
- Cremation Interment: \$150.00
- Indigent Interment: \$400.00
- Holiday: \$500.00 additional

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

Consideration of Approval of Award of Bid for Uniform Cleaning Services: Mayor Drummond called for a motion to approve the Award of Bid for Uniform Cleaning Services to Parkway Cleaners. Commissioner Gandy so moved. Commissioner Benge seconded. Joe Clark addressed the Commissioners stating that Parkway Cleaners got off easy on the prices but it is not the whole story. The uniforms are returned a week or two later. The Klean Machine will return the uniforms within 24 hours. Commissioners Gandy & Benge withdrew the motion. Commissioner Gandy so moved to resend for rebid. Commissioner Granath seconded. Motion was approved.

Consideration of Approval of City-Lea County Housing Production Services Incentive Agreement: Mayor Drummond called for a motion to approve the City-Lea County Housing Production Services. City Manager Williams stated that the agreement provides an additional \$450,000 in funding for the LEDA housing incentives. The County will reimburse the City 50% of the payment to a developer, up to a maximum of \$3,000 per completed housing unit. Commissioner Trujillo so moved. Commissioner Granath seconded. Motion was approved.

Consideration of Approval of Lovington EDC Report & Consider Approval for Funding through LEDA: Mayor Drummond called for a motion to approve the Lovington EDC Report & Consider Approval for Funding through LEDA. Randy Pettigrew addressed the Commissioners to provide a report of their activities for the past 12 months. In addition, they are requesting \$50,000 in funding through the LEDA to support their operations. Overall, there has been a lot of interest in Lovington in the last 12 months but either lost to finding a location or building purchase price too high. Commissioner Gandy so moved. Commissioner Trujillo seconded. Motion was approved.

Consideration of Approval of Restrictive Covenants for City Land at Jefferson & Main Street: Mayor Drummond called for a motion to approve the Restrictive Covenants for City Land at Jefferson & Main Street. City Attorney McMahan stated that the key points to selling this land would be the City will have the right to repurchase if development has not begun within twelve months or development is not complete within 18 months. The development is limited to retail or restaurant operations. The land cannot be used for any type of residence, permanent, temporary or itinerant. Commissioner Trujillo so moved. Commissioner Benge seconded. Motion was approved.

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

PUBLIC COMMENT: Joyce Holder addressed the Commissioners to invite them to come out and vote on the Judicial Complex. Kallie Richards addressed the Commissioners to let them know her point of view of the Judicial Complex and she encourages them to voice their opinion.

CLOSED SESSION:

At 6:30 p.m., Commissioner Trujillo moved to adjourn Regular Session and convene in Closed Session Pursuant to Section 10-15-1 NMSA 1978, Subsection H-2-Discussion of limited personnel matters. Commissioner Granath 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 6:40 p.m., Commissioner Gandy 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: Mayor Drummond stated that the Fair & Rodeo was great this year. City Manager Williams asked the Commissioners to confirm if they are attending the NMML Annual Meeting in Taos, NM. Mayor Drummond, Commissioners Trujillo & Benge confirmed.

ADJOURNMENT:

There being no further business the meeting adjourned at 6:42 p.m.

APPROVED: _____

DIXIE DRUMMOND, MAYOR

ATTEST: _____

CAROL ANN HOGUE, CITY CLERK