

**REGULAR MEETING OF THE CITY COMMISSION
MONDAY, DECEMBER 8, 2014 @ 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 Trujillo, Commissioner Bengé, Mayor Gandy, Commissioner Butcher, and Commissioner Campos

Also Present: Assistant City Manager Jared Cobb, City Finance Director Gary Chapman, City Clerk Carol Ann Hogue, City Attorney Michael Newell, Police Chief David Rodriguez, City Planner Merideth Hildreth, and Administrative Assistant Anna Juarez

Invocation: Mayor Gandy gave the invocation

Pledge of Allegiance: Mayor Gandy led the pledge

Approval of Agenda: Mayor Gandy called for a motion to approve the agenda. Commissioner Bengé so moved to approve the agenda with two changes; add Commissioner and staff reports and under action item remove consideration of Ordinance 530 pending legal opinion. Commissioner Trujillo seconded and a roll call was taken: Commissioner Campos – Yes, Commissioner Butcher – Yes, Commissioner Trujillo – Yes, Commissioner Bengé – Yes, and Mayor Gandy – Yes.

Approval of the Regular Minutes of November 24, 2014: Mayor Gandy called for a motion to approve the regular minutes of November 24, 2014. Commissioner Trujillo so moved. Commissioner Bengé seconded and a roll call was taken: Commissioner Bengé – Yes, Commissioner Trujillo – Yes, Commissioner Butcher – Yes, Commissioner Campos – Yes, and Mayor Gandy – Yes.

COMMISSIONER AND STAFF REPORTS:

- Commissioner Campos asked about lights on avenue P and O.
- Commissioner Butcher asked Chief Rodriguez about accreditation recognition certificate when it was received; Chief Rodriguez stated was received last Wednesday at the Albuquerque conference; award is hanging in the lobby
- Mayor Gandy wished everyone a Merry Christmas and a Happy New Year
- Commissioner Trujillo wished everyone a Merry Christmas and a Happy New Year and thanked the staff and new staff looking forward to the year to come
- Commissioner Bengé stated rope lights at the plaza look great
- Chief Rodriguez announced a public service announcement concerning reports of someone working for water department collecting funds through wire transfer; if they had questions to call city hall

NON-ACTION ITEMS:

Library Board Presentation: Mayor Gandy presented award to Imogene Hanners for lifetime member plaque in appreciation for her years of service on the Lovington Public Library Board of Trustees.

Discussion of Senior Citizen Advisory Council Appointments: Assistant City Manager stated that Director Norma Vejil has recommended reappointing to the Lovington Senior Citizen Advisory Council for a two year term, which will expire in January 2016:

- Wilma Kimbell
- Virginia Spears
- Thomas Griffin

Other interested parties may submit for consideration. Commissioners will take action on January 12, 2015 commission meeting. Commissioner Bengé suggested for members to consider publicizing what the Senior Center has to offer. No action was taken.

Discussion of Commission Work Session in January: Assistant City Manager Cobb requested Commissioners having a work session to discuss current City code and what areas, discuss capital projects and the infrastructure capital improvement fund and other business the Staff and Commissioners deems necessary. Commissioners agree to set meeting up for 3rd Monday on January, after 5 P.M.

ACTION ITEMS:

Removed: Consideration Approval of Ordinance 530: Appointment of City Clerk and Treasurer, Police Chief, and Fire Chief

Consideration Adoption of Ordinance 532 – Employee Handbook Amendments – Pay periods, compensatory time, annual leave, sick leave: Mayor Gandy called for a motion to adopt Ordinance 532 – Employee handbook amendments – pay periods, compensatory time, annual leave, sick leave. Assistant City Manager Cobb addressed the Commissioners of Ordinance 532 modifies the language updates and changes to annual and sick leave accruals, due to audit findings. The leave benefits are earned each pay period instead of once per month, carryover of hours each calendar year is eliminated. Instead, once employees reach a maximum number of hours (based on service time), they will not accrue additional leave until they utilize said leave time; annual leave and sick leave begin accrual on the first date of hire. This Ordinance does not reduce or increase leave benefits. Commissioner Trujillo asked about how each employee will be notified of change. Commissioner Bengé recommended each employee be given a copy of change and sign that they received and reviewed information. Attorney Newell suggested make a copy of each employee signed form and file in employee file. Commissioner Bengé so moved. Commissioner Trujillo second and a roll call was taken: Commissioner Campos – Yes, Commissioner Butcher – Yes, Commissioner Trujillo - Yes, Commissioner Bengé – Yes, and Mayor Gandy – Yes. Motion was approved.

Consideration Resolution 2014-61: Open Meetings Act Resolution: Mayor Gandy called for a motion to approve resolution 2014-61: Open meetings act resolution. Assistant City Manager Cobb addressed Commissioners to adopt the required resolution. Commissioner Trujillo so moved. Commissioner Campos seconded and a roll call was taken: Commissioner Bengé – Yes, Commissioner Trujillo – Yes, Commissioner Campos – Yes, Commissioner Butcher – Yes, and Mayor Gandy - Yes. Motion was approved.

Consideration Resolution 2014-62: City Holidays and Meeting Date for January thru June, 2015: Mayor Gandy called for a motion to approve resolution 2014-62: City Holidays and meeting date for January thru June 2015. Assistant City Manager Cobb addressed Commissioners of the change in personnel policy; this will finalize the holidays and floating holiday for the first six months; the coming Fiscal Year, City will approve the holidays for a full year. Commissioner Campos so moved. Commissioner Trujillo seconded and a roll call was taken: Commissioner Butcher – Yes, Commissioner Trujillo – Yes, Commissioner Bengé – Yes, Commissioner Campos – Yes, and Mayor Gandy - Yes. Motion was approved.

Consideration Resolution to Approve Variance in Zoning at 110 South 7th Street, Lovington: Unattached Carport in Zone A: Mayor Gandy called for a motion to approve variance in zoning at 110 South 7th Street, Lovington: unattached carport in Zone A. Assistant City Manager Cobb addressed Commissioners of property owner Sheila Laws with an issue to accessing the alley to property in the back and is constructing a metal fence that supports a carport on two sides as well as a storage room and a covered sitting area. Commissioners discussed the curb cut off of 7th Street, previous entrance to property and fence built over water lines. Planning and Zoning Commission recommended approval of request for variance for the unattached carport with the provision that access can only be made onto the property from 7th Street, requiring a curb cut with a concrete apron, concrete beneath the area of the carport, and the length of the driveway to be at a minimum a prepared surface with a delineated edge. Commissioner Butcher so moved. Commissioner Trujillo seconded and a roll call was taken: Commissioner Trujillo – Yes, Commissioner Bengé – Yes, Commissioner Butcher – Yes, Commissioner Campos – Yes, and Mayor Gandy - Yes. Motion was approved.

Consideration of Resolution to Approve Variance in Zoning at 421 W. Tyler, Lovington: RV Occupation and Permit in Zone B: Mayor Gandy called for a motion to approve the resolution to approve variance in zoning at 421 W. Tyler, Lovington: RV Occupation and Permit in Zone B. Assistant City Manager Cobb addressed Commissioners of variance request for variance to allow Leslie Brow to remain in an occupied RV in property in Zone B. The RV unit is located in the rear yard and is separated from the front yard and adjacent property and alley with a fence. Planning and Zoning Commission recommended request for variance to expire on January 31, 2015, this will provide sufficient time to replace the RV with a single-wide manufactured home. Commissioner Trujillo so moved. Commissioner Butcher seconded and a roll call was taken:

Commissioner Campos – Yes, Commissioner Bengé – Yes, Commissioner Butcher – Yes, Commissioner Campos – Yes, and Mayor Gandy - Yes. Motion was approved.

Consideration of Award of Bid: Indefinite Quantity for Vehicle Repairs: Mayor Gandy called for a motion to approve an indefinite quantity for vehicle repair of \$85.50 per hour from Valentine’s Auto Services beginning in January 1, 2015 and ending on December 31, 2015. Only one bid was received. Commissioner Bengé so moved. Commissioner Campos seconded and a roll call was taken: Commissioner Bengé – Yes, Commissioner Trujillo – Yes, Commissioner Butcher – Yes, Commissioner Campos – Yes, and Mayor Gandy - Yes. Motion was approved.

Consideration of Award of Bid: Indefinite Quantity for Tire Repairs: Mayor Gandy called for a motion to approve an indefinite quantity tire repair from Lovington Tire Services beginning in January 1, 2015 and ending in December 31, 2015. Only one bid was received. Commissioner Campos so moved. Commissioner Trujillo seconded and a roll call was taken: Commissioner Campos – Yes, Commissioner Trujillo – Yes, Commissioner Butcher – Yes, Mayor Gandy – Yes, and Commissioner Bengé - Yes. Motion was approved.

Consideration of Award of Bid: Indefinite Quantity for Tractor & Heavy Equipment Repair: Mayor Gandy called for a motion to approve an indefinite quantity for Tractor & Heavy Equipment Repair from Seidl Diesel Services beginning in January 1, 2015 and ending in December 31, 2015. Only one bid was received. Commissioner Butcher so moved. Commissioner Bengé seconded and a roll call was taken: Commissioner Butcher – Yes, Commissioner Trujillo – Yes, Commissioner Bengé – Yes, Commissioner Campos – Yes, and Mayor Gandy - Yes. Motion was approved.

Consider Approval of Accounts Payable: Mayor Gandy called for a motion to approve the accounts payable. Commissioner Bengé so moved. Commissioner Trujillo seconded and a roll call was taken: Commissioner Bengé – Yes, Commissioner Trujillo – Yes, Commissioner Butcher – Yes, Commissioner Campos – Yes and Mayor Gandy - Yes. Motion was approved.

PUBLIC COMMENT:

- Clint Laughlin asked who was awarded Tractor and Heavy Equipment Repair; Seidl Diesel

CLOSED SESSION:

At 6:06 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 disposition of real property or water rights. Commissioner Campos seconded and a roll call vote was taken: Commissioner Bengé - Yes; Commissioner Trujillo - Yes; Commissioner Butcher - Yes; Commissioner Campos – Yes; and Mayor Gandy - Yes.

At 6:40 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 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 6:41 p.m.

APPROVED: _____
SCOTTY GANDY, MAYOR

ATTEST: _____
CAROL ANN HOGUE, CITY CLERK