

**REGULAR MEETING OF THE CITY COMMISSION
MONDAY, MARCH 10, 2014 @ 5:30 P.M.
CITY COMMISSION CHAMBERS, 214 S. LOVE STREET**

Present and answering roll call: Mayor Pro-Tem Gandy, Commissioners Bengé, Trujillo, Butcher, and Campos.

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, Administrative Assistant Imelda Gutierrez and City Attorney Patrick McMahon.

Call to Order: The meeting was called to order by Mayor Pro-Tem Gandy at 5:30 p.m.

Invocation: Mayor Pro-Tem Gandy gave the invocation

Pledge of Allegiance: Mayor Pro-Tem Gandy led the pledge

Oath of Office: Judge Finger gave the oath of office to Commissioner Paul Campos, Commissioner Bernard Butcher and Municipal Judge Barbara Campbell

Reorganization of Commission: Commissioner Bengé moved to nominate Mayor Pro-Tem Gandy as Mayor. Commissioner Butcher seconded and a roll call vote was taken: Commissioner Bengé - Aye, Commissioner Trujillo - Sustained, Mayor Pro-Tem Gandy - Aye, Commissioner Butcher - Aye and Commissioner Campos - Sustained. Motion was approved.

Commissioner Campos moved to nominate Commissioner Trujillo as Mayor Pro-Tem. Commissioner Trujillo seconded and a roll call was taken: Commissioner Bengé - No, Commissioner Trujillo - Aye, Mayor Gandy - No, Commissioner Butcher - No and Commissioner Campos - Aye. Motion was not approved.

Mayor Gandy moved to nominate Commissioner Bengé as Mayor Pro-Tem. Commissioner Butcher seconded and a roll call vote was taken: Commissioner Bengé - Aye, Commissioner Trujillo - Sustained, Mayor Gandy - Aye, Commissioner Butcher - Aye and Commissioner Campos - Sustained. Motion was approved.

Mayor Scotty Gandy and Mayor Pro-Tem Ava Bengé

Approval of Agenda: Mayor Gandy asked for a motion to approve the agenda as submitted. Commissioner Trujillo so moved to add a non-action item: New Mexico Guard & Reserve (NMESGR) to do a presentation to the City of Lovington. Commissioner Bengé seconded. Motion was approved.

Approval of the Regular Minutes of February 24, 2014: Mayor Gandy asked for a motion for approval of the regular minutes of February 24, 2014. Commissioner Trujillo so moved. Commissioner Benge seconded. Motion was approved.

NON-ACTION ITEMS:

Presentation of New Mexico Guard & Reserve (NMESGR) to the City of Lovington

Canvassing Results: City Clerk Hogue presented the following election results:

District #3

Bernard Butcher: 57 votes, Absentee - 1 vote, Early – 33 votes = **91 votes**

Joe Clark: 39 votes, Absentee – 1 vote, Early – 2 votes = **42 votes**

District #5

Tyler Graham: 3 votes, Early – 2 votes = **5 votes**

Paul Campos: 77 votes, Early – 11 votes = **88 votes**

Mayor Dixie Drummond: 37 votes, Early – 18 votes = **55 votes**

Municipal Judge

Judge Barbara Campbell: 48 votes, Early – 61 votes = **109 votes**

Jim Trujillo: 31 votes, Absentee – 2 votes, Early – 31 votes = **64 votes**

City Clerk Hogue stated that there are approximately 5,000 registered voters in Lovington and a total of 454 voters voted. City Clerk Hogue thanked Judge Finger for giving the oath of office.

Public Comment on Ordinance 512 – Off Street Parking of Commercial Vehicles in Residential Zones:

Mayor Gandy stated that the podium was open for public comment anyone who wishes to speak to come forward and to state their name clearly and are allowed five minutes at the podium. Jerry Lambert addressed the Commissioners stating he is against the ordinance because he is a family oriented person that most family would like to see their dad's coming home. This restricts families from using their private properties. Willie Brown addressed the Commissioners stating he is against this ordinance because roustabout trucks have to be brought home because the company yards are located in a different town. Pat Wise addressed the Commissioners stating he strongly suggests that this ordinance pass. Kallie Windsor of the Lovington Planning & Zoning Board addressed the Commissioners stating that one reason for this ordinance was the safety of children in neighborhoods. David Mauldin addressed the Commissioners stated he is all for this ordinance because these vehicles are destroying our streets in the residential areas. Daniel Sepeda addressed the Commissioners stating that he has to bring his commercial vehicle home. Clint Laughrin addressed the Commissioners stating that he was against this ordinance but he thinks that Planning & Zoning has really worked hard to get this ordinance right and really thinks it should pass. Dave Browser, Pastor of Jackson Avenue Baptist Church addressed the Commissioner stating that he strongly urges that the Commissioners approve the ordinance.

Public Comment on Ordinances 520, 521, and 522 – Carport Ordinance Amendments: City Manager Williams explained Ordinances 520, 521, and 522.

ACTION ITEMS:

Consideration of Approval of Resolution 2014-09: Authorizing City 2014/2015 MAP Application: Mayor Gandy called for a motion to approve the Resolution 2014-09: Authorizing City 2014/2015 MAP Application. Assistant City Manager Cobb explained that the City has prepared an application to request \$200,000 for the design and reconstruction of Commercial Street from Van Buren Avenue to Jefferson Avenue. The approval of this resolution will allow the City Manager the authority to submit the application to NMDOT. The proposed budget for this project is as follows:

- \$200,000 – NMDOT MAP Grant (New Mexico Department of Transportation)
- \$60,000 – NMDOT LGRF Grant (Local Government Road Fund)
- \$200,000 – City of Lovington Matching Funds (Infrastructure GRT)

This grant is for the next budget year, which starts July 1st. Commissioner Bengé so moved. Commissioner Trujillo seconded and a roll call was taken: Mayor Gandy – Aye, Commissioner Bengé – Aye, Commissioner Trujillo - Aye, Commissioner Butcher – Aye, and Commissioner Campos – Aye. Motion was approved.

Consideration of Approval of Resolution 2014-10: Authorizing City 2014/2015 LGRF Application: Mayor Gandy called for a motion to approve the resolution 2014-10: Authorizing City 2014/2015 LGRF Application. Assistant City Manager Cobb explained that the City has prepared an application to request \$60,000 for the design and reconstruction of Commercial Street from Van Buren Avenue to Jefferson Avenue. The approval of this resolution will allow the City Manager the authority to submit the application to NMDOT. The proposed budget for this project is as follows:

- \$200,000 – NMDOT MAP Grant (New Mexico Department of Transportation)
- \$60,000 – NMDOT LGRF Grant (Local Government Road Fund)
- \$200,000 – City of Lovington Matching Funds (Infrastructure GRT)

Commissioner Trujillo so moved. Commissioner Bengé seconded and a roll call was taken: Mayor Gandy – Aye, Commissioner Bengé – Aye, Commissioner Trujillo - Aye, Commissioner Butcher – Aye, and Commissioner Campos – Aye. Motion was approved.

Consideration of Approval of Ordinance 512: Off Street Parking of Commercial Vehicles: Mayor Gandy called for a motion to approve Ordinance 512. Commissioner Bengé so moved. Commissioner Trujillo seconded and a roll call was taken: Mayor Gandy – Aye, Commissioner Bengé – Aye, Commissioner Trujillo - Aye, Commissioner Butcher – Aye, and Commissioner Campos – Aye. Motion was approved.

Consideration of Approval of Ordinance 520: Zone A Carport Amendments: Mayor Gandy called for a motion to approve Ordinance 520. Commissioner Bengé so moved. Commissioner Butcher seconded and a roll call was taken: Mayor Gandy – Aye, Commissioner Bengé – Aye, Commissioner Trujillo - Aye, Commissioner Butcher – Aye, and Commissioner Campos – Aye. Motion was approved.

Consideration of Approval of Ordinance 521: Zone B Carport Amendments: Mayor Gandy called for a motion to approve Ordinance 521. Commissioner Trujillo so moved. Commissioner Campos seconded and a roll call was taken: Mayor Gandy – Aye, Commissioner Bengé – Aye, Commissioner Trujillo - Aye, Commissioner Butcher – Aye, and Commissioner Campos – Aye. Motion was approved.

Consideration of Approval of Ordinance 522: Manufactured & Mobile Home Carport Amendment: Mayor Gandy called for a motion to approve Ordinance 522. Commissioner Trujillo so moved. Commissioner Butcher seconded and a roll call was taken: Mayor Gandy – Aye, Commissioner Bengé – Aye, Commissioner Trujillo - Aye, Commissioner Butcher – Aye, and Commissioner Campos – Aye. Motion was approved.

Consideration of Approval of Zoning Change at 1st Unit, Solar Addition, Block 1 Lot B: Mayor Gandy called for a motion to approve the Zoning Change at 1st Unit, Solar Addition, Block 1 Lot B. Gene Samberson addressed the Commissioners with his concerns about the trash. He suggested a 6 foot fence to be installed to try to contain the trash. He also mentioned that dirt was also a problem. Elaine Vejil addressed the Commissioners suggesting that the developers water down the land and keep it wet to stop the wind from blowing the dirt. Commissioner Bengé stated that the City would have to look into the ordinances to see if the developers are responsible for maintaining the dirt. Commissioner Bengé so moved. Commissioner Trujillo seconded and a roll call was taken: Mayor Gandy – Aye, Commissioner Bengé – Aye, Commissioner Trujillo - Aye, Commissioner Butcher – Aye, and Commissioner Campos – Aye. Motion was approved.

Consideration of Approval of Parks & Recreation Board Appointment – Commissioner Seat: Mayor Gandy called for a motion to approve the Parks & Recreation Board Appointment – Commissioner Seat. Commissioner Trujillo so moved to appoint Commissioner Campos to take the Commissioner Seat for the Parks & Recreation Board. Commissioner Butcher seconded and a roll call was taken: Mayor Gandy – Aye, Commissioner Bengé – Aye, Commissioner Trujillo - Aye, Commissioner Butcher – Aye, and Commissioner Campos – Aye. Motion was approved.

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

PUBLIC COMMENT: None

CLOSED SESSION:

At 6:27 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: Mayor Gandy - aye; Commissioner Bengé - aye; Commissioner Trujillo - aye; Commissioner Butcher – aye; and Commissioner Campos - aye.

At 7:20 p.m., Commissioner Trujillo 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 Campos seconded and a roll call vote was taken: Mayor Gandy - aye; Commissioner Bengé - aye; Commissioner Trujillo - aye; Commissioner Butcher – aye; and Commissioner Campos - aye.

OTHER:

- City Clerk Hogue and Administrative Assistant Gutierrez congratulated the Commissioners. Institute for the new Elected Officials will be held March 22, 2014 in Albuquerque and March 29, 2014 in Las Cruces.
- Mayor Gandy would like to schedule a workshop at least once a month to discuss the budget with the new Commissioners. Mayor Gandy would like to see a quarterly report from all Departments as well.
- Commissioner Bengé suggested getting a calendar for the upcoming events in the community and looking into an ordinance where the developers should control the dirt and trash as they develop in the community.
- Assistant City Manager Cobb provided the Commissioners with a proposal to meet once or twice a month with the consultants to go over the Comprehensive Plan.
- City Manager Williams stated that Municipal District Day is March 25, 2014 in Hobbs.

ADJOURNMENT:

There being no further business the meeting adjourned at 7:30 p.m.

APPROVED: _____
SCOTTY GANDY, MAYOR

ATTEST: _____
CAROL ANN HOGUE, CITY CLERK