

**REGULAR MEETING OF THE CITY COMMISSION
MONDAY, MARCH 24, 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: Mayor Gandy, Commissioners Campos, Butcher, Bengé, and Trujillo.

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

Not Present: Finance Director Mashell Stephens

Invocation: Commissioner Trujillo gave the invocation

Pledge of Allegiance: Commissioner Trujillo led the pledge

Approval of Agenda: Mayor Gandy asked for a motion to approve the agenda as submitted. Commissioner Trujillo so moved to amend the agenda and move Lovington Lights It Up Blue Proclamation to the beginning of the discussion items and add Lea Community Foundation of the Arts to the end of the discussion items. Commissioner Bengé seconded and a roll call was taken: Commissioner Campos – Yes, Commissioner Butcher – Yes, Commissioner Trujillo – Yes, Commissioner Bengé – Aye, and Mayor Gandy – Yes. Motion was approved.

Approval of the Regular Minutes of March 10, 2014: Mayor Gandy asked for a motion for approval of the regular minutes of March 10, 2014. 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.

NON-ACTION ITEMS:

Lovington Lights It Up Blue Proclamation: Misty Betz addressed the Commissioners to explain what Lights it Up Blue means “World Autism Day”. It is recognized all over the world as the kick off for autism awareness month. L.A.C.E.S (Lovington Autism Center for Education & Services) is a program that has come together to do the 4th Annual Lights It Up Blue in the community. This event will be held at the Lea County Fairgrounds, Saturday, March 29, 2014 from 11 a.m. to 3 p.m. It’s a family festival and vendors will be giving out information and selling autism items. The funds raised will stay local. L.A.C.E.S has been approved for \$20,000 from the capital outlay and must be used within a year. The money raised will be used to help build a safe playground for the L.A.C.E.S program. A company will be doing all ground and dirt work for free. Statistics show that 1 of 88 children is affected with autism and about 20 new students from preschool are awaiting diagnosis. City Clerk Hogue read the Proclamation out loud to the Commissioners and the Public. Mayor Gandy commended the Lovington Schools for the L.A.C.E.S. program which is awesome. His son attends and helps out with the program.

Introduction of New Police Officers: Chief Bryant introduced 2 new officers to the Commissioners and the Public:

- Jessica Lopez was born in Hobbs, NM and was hired in April 2013
- Antonio Parra was born in Los Lunas, NM and was hired in August 2013

Commissioner Campos addressed the Commissioners and the public stating that he has retired from law enforcement and “hats off to the new officers” because time goes by fast so enjoy your work, protect the citizens of Lovington, be safe, always take care of your family and make sure you go home every day. City Manager Williams addressed the Commissioners stating that today was a very good day for the Lovington Police Department. The LPD went through their accreditation site visit and their time and effort paid off. They passed the accreditation.

ARC Comprehensive Plan Presentation: Assistant City Manager Cobb addressed the Commissioners stating that Steve Burstein, AICP, Project Manager and Planner for Architectural Research Consultants toured the City, Lovington Economic Development, Chamber of Commerce, Lovington MainStreet and City Staff. Steve Burstein, AICP, Project Manager and Planner for Architectural Research Consultants addressed the Commissioners explaining the introduction to the ARC Team Developing the Plan:

- Housing
- Parks & Recreation and Open Space
- Public Facilities
- Utilities
- Transportation & Infrastructure
- Project Support

The approach taken is to gather information in an unbiased, objective manner, review existing plans, identify and analyze pertinent issues, work towards broad-based support, work closely with City Staff, and help Lovington make reasonable, well-informed decisions. The project schedule will be 11-12 months project; early activities include:

- Project kick-off (today)
- Formation of Steering Committee and 1st meeting within 2-4 weeks
- Visioning and focus groups within 1-2 months.

Once the plan is adopted a picture of the community conditions, opportunities and problems that should be addressed, Recommends projects and initiatives, identifies funding sources and steps to take, supports applications for grants and loans and a tool for the Commission to use for implementing projects.

Discussion of Personnel Policy Amendment: City Manager Williams addressed the Commissioners stating that the City has prepared an amendment for the Personnel Policy requested by Mayor Gandy. If amended, Chapter 2.92.250 – Prohibited Political Activities. The ordinance will require City employees who are elected to Municipal Office to resign from employment with the City. City Attorney McMahon mentioned that if anyone wants to run for city officials they can but if they are elected the terms may change. Commissioner Campos stated that he works as the Executive Director for the Lovington Housing Authority. He is not a city employee. The funds for the Lovington Housing Authority are federal funds. The City is acting as the fiscal agent for the LHA.

Discussion of Dust Control Ordinance: City Manager Williams addressed the Commissioners stating that dust has become an issue in the developing area on 17th Street, Jefferson Street, and Avenue D. The City does not have a current ordinance that classifies the dust as a nuisance but it is creating a health and safety hazard. The City did meet with the developers regarding this matter and they will be taking steps, measurements to control the dust. The developers have placed a water truck out there in the area. The City has prepared a draft of a dust control ordinance that is similar to the City of Las Cruces that has been in place since 2011. Mr. Williams explained the ordinance: The Wind Erosion Control – Purpose and Intent: The purpose of this section is to protect and maintain the natural environment and to reduce the health effects and safety issues caused by the creation of fugitive dust. In addition, this section attempts to limit property damage due to blowing sand and particulate matter caused by anthropogenic (man-made) activities by requiring mitigation measures for activities that create fugitive dust. The intent of this section is to minimize the contribution of man-made dust production on a regular basis. This chapter is also intended to realize that fugitive dust creation does occur due to the natural environment and natural events however when careful and effective dust control measures are implemented on those sources which by their nature are prone to dust creation, the overall impact from these natural events can be minimized.

Discussion of Solid Waste Authority Representation: City Manager Williams addressed the Commissioners stating that Solid Waste Authority Board has 2 seats which Neil Granath and Mr. Williams are representing. The board oversees the Lea County Landfill. Mr. Granath's current term is set to expire on November 4, 2014. Mr. Granath has expressed his desire and commitment to remain as one of the representatives on the Solid Waste Authority Board.

Discussion of City Wide Cleanup Efforts: Commissioner Campos stated that he is organizing district wide clean up in his District 5 and has asked the youth from different churches and different community members. Mr. Campos is challenging the other Commissioners to do a district wide clean up in their districts to get everyone involved in the community that will benefit the City of Lovington. Elaine Vejlil addressed the Commissioners stating that Lovington MainStreet is organizing clean-up day on Main Street. Mrs. Vejlil said that this is a good approach to get help from the Commissioners to clean-up the areas in Lovington where it's most needed. Commissioner Benge stated to Mrs. Vejlil seems how you picked on my area and I would like to point out that you can count on one hand and have fingers left over the number of times she has missed a clean-up day. Lola Jackson addressed the Commissioners suggesting that the City have more discount or free dump days. Code Enforcer Brock did mention that they do advertise for free dump days and it is also sent out in the water bills.

Discussion of Lea Community Foundation of the Arts: Connie Sevier addressed the Commissioners stating that Lovington MainStreet took on the purchase and restoration project of the Lea Theatre back in August 2013. The Foundation has come together to pursue donations because it is a million dollar project. The members would like to educate the new members to the Commission about the Lea Theatre project and hopefully get it finished up if that is what the Commission wants.

ACTION ITEMS:

Consideration of Approval of Resolution 2014-11: Establishing an Ad Hoc Comprehensive Steering Committee for the City of Lovington, NM: Mayor Gandy called for a motion to approve resolution 2014-11: Establishing an Ad Hoc Comprehensive Steering Committee for the City of Lovington. Commissioner Trujillo so moved. Commissioner Butcher seconded and a roll call was taken: Commissioner Bengé – Aye, Commissioner Trujillo – Aye, Mayor Gandy – Aye, Commissioner Butcher – Aye, and Commissioner Campos – Aye. Motion was approved.

Consideration of Approval of Ordinance 523 – Truck & Trailer on Street Parking Amendment: Mayor Gandy called for a motion to approve ordinance 523 – Truck & Trailer on Street Parking Amendment. Commissioner Trujillo so moved. Commissioner Bengé seconded and a roll call was taken: Commissioner Campos – Aye, Commissioner Butcher – Aye, Commissioner Trujillo - Aye, Commissioner Bengé – Aye, and Mayor Gandy – Aye. Motion was approved.

Consideration of Approval of MOU between City of Lovington & Lea County for Services offered by Lyles Marketing: Mayor Gandy called for a motion to approve the MOU between City of Lovington & Lea County for Services offered by Lyles Marketing. Commissioner Bengé so moved. Commissioner Trujillo seconded and a roll call was taken: Commissioner Butcher – Aye, Commissioner Trujillo – Aye, Commissioner Campos - Aye, Commissioner Bengé – Yes, and Mayor Gandy – Aye. Motion was approved.

Consideration of Approval of SNMEDD/COG Board Appointment: Mayor Gandy called for a motion to approve SNMEDD/COG Board Appointment. Mayor Gandy recommended City Manager Williams to be reappointed. Commissioner Bengé so moved. Commissioner Trujillo seconded and a roll call was taken: Commissioner Bengé – Yes, Commissioner Campos – Yes, Commissioner Butcher - Yes, Commissioner Trujillo – Yes, and Mayor Gandy – Aye. Motion was approved.

PUBLIC COMMENT: Gene Samberson addressed the Commissioners stating that he is appreciative for the City and Staff who are working on the dust problem on 17th Street. Mr. Samberson is suggesting that the Commissioners seriously consider temporarily tabling the annexation project because the project does not have a development plan out there until the ordinance has been approved or passed. There is 25 acres in that area that have been bulldozed and the dust problem is worse than it was.

CLOSED SESSION:

At 6:35 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 to discuss threatened or pending litigation and Subsection H-2 regarding limited personnel matters. 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 6:55 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 Bengé 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:

- Mayor Gandy mentioned to City Manager Williams about a tree growing around a light pole on Love & Harrison.
- Commissioner Bengé mentioned to City manager Williams about a city owned vacant land on 17th Street that has building material and has accumulated trash.
- City Manager Williams mentioned the Municipal League District Meeting is March 25, 2014 from 10 a.m. – 4 p.m. at Lea County Event Center, Hobbs NM. The Budget Work Session will be advertised. Lovington MainStreet approached the City about the Farmer’s Market not having a restroom facility available and asked if the City would provide a porta-john for a couple of months. The Municipal Codes & Ordinances are published on the City website for viewing. A Work Session will be scheduled for the Lea Theatre and staff will provide the day and time.

ADJOURNMENT:

There being no further business the meeting adjourned at 7:03 p.m.

APPROVED: _____
SCOTTY GANDY, MAYOR

ATTEST: _____
CAROL ANN HOGUE, CITY CLERK