

**REGULAR MEETING OF THE CITY COMMISSION  
MONDAY, OCTOBER 28, 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, 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 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 Called Meeting & Regular Meeting Minutes of October 14, 2013:** Mayor Drummond asked for a motion for approval of the called and regular minutes of October 14, 2013. Commissioner Trujillo so moved to amend the wording “passenger watercrafts” to “personal radio control watercrafts” in the regular minutes on page 2: Discussion of parks and recreation rules and regulations. Commissioner Gandy seconded. Motion was approved.

**NON-ACTION ITEMS:**

**Lea County Fair Board Presentation:** Randy Pettigrew addressed the Commissioners on behalf of the Lea County Fair Board to present the Commissioners with site pictures of all the artists and the top ten (10) events at the Fair & Rodeo 2013 and to thank the City for all the support. The attendance record for 2013 was 98,208 and 108,525 for 2012. Commissioner Bengé stated she would like to thank the Fair Board for the growth, development and their support. No action was taken.

**Discussion of LEDA Fund & State Intergovernmental Agreement:** City Manager Williams addressed the Commissioners stating that the Due Diligence Committee of the Lovington EDC has reviewed two separate projects that have requested funding from LEDA. The LEDC Board will be voting on the recommendation for either project on October 30, 2013. One project has received partial funding from the State of New Mexico. Lovington MainStreet submitted an application to utilize LEDA funds to purchase, upgrade to digital and start operations of Lea Theater. The amount requested for this first project is \$450,000 with a three (3) year term of \$150,000 annual payment. The city will be funding for the purchase of the building only and will not own the Theater. The total of funds in LEDA is \$886,000. Mark Roper of NMEDD, Region 6 –

Southeastern NM addressed the Commissioners on behalf of the Lovington Warehouse requesting authorization of the execution of an intergovernmental agreement and a project participation agreement accepting from the New Mexico Economic Development Department \$100,000 for economic assistance for improvement of a 800 feet, 40 feet wide both sides unloading and loading zone project adjacent to Lovington Warehouse and the Railroad. Mr. Roper stated that \$100,000 must be guaranteed in order for the State to fund the project. Commissioner Trujillo asked Mr. Roper who owned and who will maintain the property. Mr. Roper stated that Dale Saxton is the property owner and he will maintain the property. Commissioner Gandy stated he would like to keep and bring business to Lovington and he has no problem keeping it here. No action was taken.

**ACTION ITEMS:**

**Consideration of Approval of Inflatable Structure Use Policy:** Mayor Drummond called for a motion to approve the inflatable structure use policy that was presented to the Commissioners at the last meeting. Commissioner Trujillo so moved. Commissioner Granath seconded. Motion was approved.

**Consideration of Approval to Advertise Ordinance 517 – Park & Recreation Rules & Regulations:** Mayor Drummond called for a motion to approve to advertise Ordinance 517. City Manager Williams stated that the policy includes:

- Anyone found guilty of violating the provisions of this chapter shall be punished by a fine of up to \$300 maximum or imprisonment of up to ninety days, or by both such fine and imprisonment.

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

**Consideration of Approval to Advertise Ordinance 518 – Uniform Traffic Ordinance Changes:** Mayor Drummond called for a motion to approve to advertise Ordinance 518. City Manager Williams stated that the amendments will create changes such as:

- Section 12-6-12.6 Unlawful Use of License; Driving Privilege to do so have been Suspended or Revoked.
- Section 12-12-3 Conduct of Officer – Notices by Citation
- Section 12-12-3.1 Electronic Uniform Traffic Citation
- Section 12-12-11 Abstract of Traffic Cases – Report on Convictions

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

**Consideration of Approval of Ordinance 512 – Off Street Parking:** Mayor Drummond called for a motion to approve Ordinance 512 – Off Street Parking. City Manager Williams stated that this ordinance has been published on the newspaper, City website and public notice has been mailed to each property owner. The public notice has been published for thirty days. Commissioner Bengé so moved. Commissioners Trujillo seconded. Bobby McCraw of 714 W. Ave E addressed the Commissioners stating his concerns about how expensive a six inch concrete pad and storing his RV trailer will cost plus insurance for not being on site. Mr. McCraw stated other concerns which are weeds, junk cars, trash, and loud noise around the neighborhood. Clint Laughrin addressed the Commissioners stated his concerns about how some residents cannot afford to pave their

driveways. A four inch concrete pad is typical for a driveway but not a six inch concrete pad. The residents will be forced to park on the streets and which will cause a bigger problem to the City. Commissioner Bengé stated that the ordinance was not proposed to raise money. The property owners need to take pride of their homes, yards, and neighborhoods. Commissioner Gandy stated that the City is trying to clean up the community and as a community we need to work together. The property owners seem to take more pride on their vehicles than on their yards. Some residents bend and stretch the laws. He also stated that he applauds the residents that do attend the City Commission meetings. Lola Jackson addressed the Commissioners stating she has done some improvements to her home but cannot afford to build a driveway. She asked why not start beautifying Main Street where she thinks the problem is at. The off street parking is not beneficial, when children start dashing between parked vehicles where there will be less visibility and more accidents that can occur. Connie Sevier addressed the Commissioners stating that in Lubbock and Midland no one parks in their front yards. The residents park in the alleys. Water Supervisor Wyatt Duncan stated that the City's infrastructure is in the alley. Jesse Juarez addressed the Commissioners stating her concerns about her rental properties which her tenants drive their company work trucks home and the business the tenants work for are from out of town. Pete Rasmus of 211 S. 3<sup>rd</sup> Street addressed the Commissioners stating that he has RV's and ATV's which his concern is if he has to add a concrete pad for all recreational vehicles in his backyard. Ann Pavelek addressed the Commissioners stating that the GVW needs to be changed from 10,000 to 26,000 because it will affect many residents. This is an oilfield town. Lola Jackson stated that the letter she received stated "a public hearing to solicit public input will be held on October 28, 2013 at 5:30 p.m. at the City Hall. Estela Garcia addressed the Commissioners stating that she commends the City for trying to clean up the community. Her main concern is in the Commercial Zone where there is a big problem with semi-trucks driving through the alleys and a mixture of mobile homes and truck tires sitting on the ground making the area look very bad. Jerry Williams addressed the Commissioners stating his concerns on how this ordinance will affect the parking at apartments around the City. Commissioner Bengé so moved to table until more clarification on Paragraph E: B & Paragraph G: C&D and bring back to the meeting on November 25, 2013. Commissioner Trujillo seconded and a roll call was taken: Mayor Drummond; aye, Commissioner Trujillo; aye, Commissioner Bengé; aye, Commissioner Gandy; aye and Commissioner Granath; aye. Motion was approved to be tabled. Randy Pettigrew addressed the Commissioners stating that Planning & Zoning Board Members spent a lot of time and effort into bringing this recommendation to the Commission. The ordinance was presented to the Commission several times and he thinks that the Commission needs to take a stand at some point in time and take a vote. The P&Z Board has changed the way they publicize the agendas and he challenges the city residents to read the newspaper or come by the City Hall for information. The resident's points are valid points and are important he stated. Mr. Pettigrew stated "If I'm going to invest my time into this, I expect the same from everyone else too".

**Consideration of Approval of Ordinance 513 – Annexation:** Mayor Drummond called for a motion to approve Ordinance 513 – Annexation. Commissioner Trujillo so moved. Commissioner Gandy seconded. Motion was approved.

**Consideration of Approval of Ordinance 514 – Industrial Zone Changes:** Mayor Drummond called for a motion to approve Ordinance 514 – Industrial Zone Changes. Hilda Marquez addressed the Commissioners stating that her family business is located at 18 E. Ave D and would like to put a mobile home to live in next to her business. Code Enforcer Brock stated the concerns about not allowing residential homes/mobile homes be developed in this zone due to different companies having hazardous chemicals. Gary Jones addressed the Commissioners stating his concerns on land he owns on Dencoe Drive. Mayor Drummond mentioned to Mr. Jones that it is partial residential and commercial in that area. City Attorney McMahan suggested that Mrs. Marquez could request a variance but it would be up to the Commissioners to decide if the zone will be allowed only for industrial and a commercial zone for commercial. Another suggestion is to request to change the zoning. Commissioner Trujillo so moved. Commissioner Granath seconded. Motion was approved.

**PUBLIC COMMENT:**

Marla Price addressed the Commissioners stating that seventy-five (75) teenagers attended the Halloween Dance at the Youth Center on Saturday, October 26, 2013. Mrs. Price also thanked the Chamber of Commerce and LEDC for their help in advertising. Hope Vasquez addressed the Commissioners stating her concerns about her residence at 1217 W. Ave K being annexed in from County to City. Gary Jones addressed the Commissioners stating his concerns about the speeding problem there is on Avenue M. Mr. Jones mainly concern is the safety of the children. City Manager Williams stated that this particular issue will be on the Planning & Zoning meeting on November 4, 2013.

**OTHER:**

- Commissioner Granath mentioned that the Commissioners should be open-minded to all suggestions and ideas from the public.
- Commissioner Gandy stated that he lends more to what Randy Pettigrew’s commented regarding the Planning & Zoning recommendations to the City Commission and that the Commissioners should be ready to vote.
- Mayor Drummond mentioned that she attended the Maddox Foundation Dinner last week.
- City Manager Williams mentioned to the Commissioners about the Veteran’s Parade that will be held November 11, 2013 at 4:00 p.m. down Main Street.

**ADJOURNMENT:**

There being no further business the meeting adjourned at 7:20 p.m.

**APPROVED:** \_\_\_\_\_  
**DIXIE DRUMMOND, MAYOR**

**ATTEST:** \_\_\_\_\_  
**CAROL ANN HOGUE, CITY CLERK**