Regular Meeting of the Roswell City Council  
Held in Meeting Room A – Roswell Convention and Civic Center  
Thursday, February 13, 2020, at 6:02 p.m.

The meeting convened with Mayor Kintigh presiding; Councilors Peterson, Foster, Kennard, Oropesa, Best, Moore, Henderson, and Stubbs being present; Councilor Roebuck participating by telephone; Councilor Sanchez being absent. Councilor Peterson led in the Pledge of Allegiance, and Councilor Foster led in prayer.

Notice of this meeting was given to the public in compliance with Sections 10-15-1 through 10-15-4 NMSA 1978 and Resolution 19-37.

Councilor Stubbs moved to approve the agenda for the February 13, 2020, regular City Council meeting to include the minutes from the January 9, 2020, regular City Council meeting, also including on the consent agenda – four Resolutions, three Air Center leases, three Bid Awards, one 2nd Posting and to remove Consent Item #6 - GO Funds for a Mobile Library and place it on the regular agenda as #19a before #19. Councilor Foster was the second. A voice vote was 9-0 and the motion passed with Councilor Roebuck participating by telephone; Councilor Sanchez being absent.

Mayor Kintigh’s announcements/reports
Mayor Kintigh asked that everyone please silence their cell phones.

NON-ACTION ITEMS
Presentation – Roswell Fire Department Overview. Chief Graham discussed Fire Department history, staffing, facilities, services and opportunities and vision.

PUBLIC PARTICIPATION ON AGENDA ITEMS
Participants acknowledged on each item.

PUBLIC HEARING(S)
Public Hearing – Hold a public hearing and vote on a restaurant beer and wine liquor license with on premises consumption only for Application No. 1134790, Ell’s Bistro Inc., d/b/a/ Ell’s Bistro & Bakery, located at 3109 N. Main Street, Roswell, NM 88201. Councilor Stubbs moved to hold a public hearing and vote on a restaurant beer and wine liquor license with on premises consumption only for Application No. 1134790, Ell’s Bistro Inc., d/b/a/ Ell’s Bistro & Bakery, located at 3109 N. Main Street, Roswell, NM 88201. Councilor Foster was the second. Mr. Holloman stated under NMSA 1978 § 60-6B-4, the governing body is required to conduct a public hearing on the application and must, by roll call vote, approve or disapprove the requested application. The hearing is quasi-judicial in nature and must be conducted accordingly. Ell’s Bistro Inc., d/b/a/ Ell’s Bistro & Bakery, Application No. 1134790, located at 3109 N. Main Street, Roswell, NM 88201, has applied for a beer and wine liquor license with on premises consumption only.

IN FAVOR: None
OPPOSED: None
A roll call vote was as follows: George Peterson-yes, Barry Foster-yes, Margaret Kennard-yes, Juan Oropesa-yes, Jeanine Best-yes, Angela Moore-no, Jacob Roebuck-yes, Steve Henderson-yes, Judy Stubbs-yes, and the motion passed 8-1 with Councilor Moore voting no; Councilor Roebuck participating by telephone; Councilor Sanchez being absent.

Proposed Ordinance 20-03 – Hold a public hearing and vote on Proposed Ordinance 20-03 amending section 15-2 of the Roswell City Code governing compensation of the Municipal Judge. Councilor Stubbs moved to hold a public hearing and vote on Proposed Ordinance 20-03 amending section 15-2 of the Roswell City Code governing compensation of the Municipal Judge. Councilor Foster was the second. Mr. Holloman stated Section 15-2 establishes the annual compensation to be paid to the Municipal Judge. Currently, Section 15-2 sets annual compensation at $60,000.00. Due to changing circumstances, the amount currently set forth no longer reflects compensation generally paid to municipal judges in similar communities around the state. The proposed ordinance would increase annual compensation by $10,000.00 for the upcoming 2020-2024 term of office and thereafter set the compensation level at 80% of the salary of state magistrate judges. Once the salary is set, it may not be increased or decreased during the judge’s current term of office unless additional non-judicial duties are imposed on the office of the judge.

IN FAVOR: None
OPPOSED: None

A roll call vote was as follows: George Peterson-no, Barry Foster-yes, Margaret Kennard-yes, Juan Oropesa-yes, Jeanine Best-yes, Angela Moore-yes, Jacob Roebuck-yes, Steve Henderson-yes, Judy Stubbs-yes, and the motion passed 8-1 with Councilor Peterson voting no; Councilor Roebuck participating by telephone; Councilor Sanchez being absent.

FOR THE RECORD: Councilor Roebuck left the meeting at 6:34 p.m.

CONSENT ITEMS
Bids, RFP’s and Agreements
Award of ITB-20-004, NMDOT CN LP20004, N. Main/Country Club traffic signal replacement to RT Electric in the amount of $464,926.24 which includes GRT. Bid opening for ITB-20-004, NMDOT CN LP20004, N. Main/Country Club Traffic Signal Replacement was held on January 14, 2020. Two bids were received and the recommended bidder is RT Electric. Attached is the award recommendation letter and bid tabulation. This work is funded by current FY 20 Capital Improvements, with a NMDOT reimbursement rate at 95%.

Award of ITB-20-005, Closure of Landfill Cell 3 to D.E. Rice Construction Co. Inc. in the amount of $653,278.61 which includes GRT. Bid opening for ITB-20-005 was held on January 14, 2020. Six construction companies submitted bids. D.E. Rice Construction Company, Inc. qualified as the lowest responsive bidder. Attached is the award
recommendation letter and bid tabulation. The FY2020 Solid Waste budget, capital funds, in the amount of $1.6M was approved by the City Council for the final cover and closure of Cell 3. In addition, funds for Professional Services in the form of construction contract management services was also approved in the FY2019 Solid Waste operating budget for $74,000.

Award of professional services for Souder Miller & Associates (SMA) to provide Bid/Construction services for Landfill Unit 3 Closure Project. Monetary amount is $72,763.04 and procurement is utilizing current Cooperative Educational Services (CES) contract #19-01B-C208-ALL. Bid opening for ITB-20-005, Landfill Unit 3 Closure Project was held on January 14, 2020, six construction companies submitted bids. D.E. Rice Construction Company, Inc. qualified as the lowest responsive bidder. SMA is recommended by Landfill to do Bid/Construction services for Landfill Unit 3 Closure Project. This will utilize current CES contract as the procurement vehicle. Proposed contract is in the amount $73,763.04 which includes GRT. The FY2020 Solid Waste budget, capital funds, in the amount of $1.6M was approved by the City Council for the final cover and closure of Cell 3. In addition, funds for Professional Services in the form of construction contract management services was also approved in the FY2019 Solid Waste operating budget for $74,000.

Approval of the revised scope of work for RFP-20-003 (2nd posting) issuance for the City Property Sale Roswell Testing Facility (RTF). RFP-20-003, City Property Sale, Roswell Testing Facility (RTF) is for the disposal of the 12.08 acre site located four miles east of the City at 3801 E. 2nd Street. The site has been under lease to AO Smith for a number of years but City staff is recommending the disposal of this property in order to add additional valuation to the Chaves County tax role.

ROW Leases
Approval to authorize Eastern New Mexico University - Roswell, to renew their current lease agreement on the use of an area of land at the old Airport. Eastern New Mexico University - Roswell, leases part of old runway 17/35 at the old Roswell Municipal Airport for the purpose of CDL training. New rent amount is $130 monthly; $1,560 annually. Rent adjustment is 3%. Eastern New Mexico University - Roswell has been a customer since February 2012. Term: March 1, 2020 through February 28, 2021.

Approval to authorize Kerry Hunter, an individual, to renew his current lease agreement on Building No. 117. Kerry Hunter leases the building for the purpose of vehicle storage and maintenance. 4,736 square feet. New rent amount is $580 monthly; $6,960 annually. Rent adjustment is 15%. Kerry Hunter has been a customer since March 1993. Term: March 1, 2020 through February 28, 2021.

Approval to authorize Don and Angel Mayes, and Richard Glenn, as individuals, to renew their current lease agreement on "T" Hangar Building No. 120, Space 2. Don and Angela Mayes, and Richard Glenn, leases the building for the purpose of aircraft storage and maintenance. 1,002 square feet. New rent amount is $191 monthly; $2,292 annually.
Rent adjustment is 3%. Don and Angel Mayes, and Richard Glenn, have been customers since February 2010. Term: March 1, 2020 through February 28, 2021.

**Resolutions**

**Resolution 20-08** – Condemnations – The Resolution shall require the removal or demolition of five (5) dilapidated structures. These structures constitute a public nuisance harmful to the public health, safety and general welfare.

**Resolution 20-10** – Approval of Resolution 20-10 approving the financial commitment for the purchase of two busses. The State of New Mexico receives federal funding through the New Mexico Department of Transportation from the Federal Transit Administration (FTA under U.S.C. 5311). The New Mexico Department of Transportation administers this program and provides funding in assistance to local transportation programs. The operation of Pecos Trails Transit System relies heavily on funds from this program that provides 50 percent of our operating expenses and 80 percent of both administrative and capital expenses. Transit is seeking to purchase two 24-passenger buses. This resolution lessens the burden on City financially. The City’s match funds are currently part of the FY20 budget, and 80% matching funds have already been approved by the NMDOT.

**Resolution 20-11** - Approval of Resolution 20-11 the CDBG Annual Certifications and Commitments. The City was awarded CDBG Project Number 18-C-NR-I03-G-14 for repairs and improvements to the Boys & Girls Club. As part of the ongoing CDBG process, the awarded entity must adopt the subject resolution. This Resolution certifies that the City allows Citizen Participation, Fair Housing, follows State procurement laws and any other applicable requirements. With regard to Section 3, this Resolution states that the City is hiring zero new employees with this CDBG funded project.

**Resolution 20-12** - Approval of Resolution 20-12 to amend fiscal year ending June 30, 2020 approved budget. This is a housekeeping item. Due to DFA’s new reporting system (LGBMS), we are required to approve a budget amendment when increasing revenue and offsetting expense line item. Revenue (General Fund) $43,450 and Expense (various funds) $43,450.

**Minutes**

Approval of the minutes from the regular City Council meeting on January 9, 2020.

**NEW BUSINESS/REGULAR ITEMS**

Consider approval of the use of General Obligation Funds for the use of purchasing a Mobile Library Service Vehicle (Bookmobile). Councilor Stubbs stated at the recommendation of the General Services Committee, I move to approve the use of General Obligation Funds for the use of purchasing a Mobile Library Service Vehicle (Bookmobile). Councilor Moore was the second. Mr. Fuentes and Ms. Costly discussed the item. The traditional Library Service in Roswell is for people to come into the building for materials, references, programs and use of the computers. A mobile library service model allows for the Roswell Public Library to go beyond the walls of the Library. This includes collaborating with food sites, parks, city events as well as outreach to nursing
homes, detention centers, daycare centers and schools. The bookmobile model we are using is a customized cargo van with a lift gate in the back for loading and unloading book carts, which will be set up at the site. A side awning will allow for shade and allow for setup of a table for an event. The public would not go into the vehicle. A voice vote was 8-0 and the motion passed with Councilors Roebuck and Sanchez being absent.

Consider approval of the Bike Rental Program at the Roswell Recreation and Aquatic Center. Councilor Stubbs stated at the recommendation of the General Services Committee, I move to authorize the City Manager to implement a Bike Rental Program at the Roswell Recreation and Aquatic Center. Councilor Foster was the second. Mr. Fuentes and Mr. Gallegos discussed the program. The Spring River Foundation initiated discussion with General Services Committee concerning a possible Bike Rental Program at Roswell Recreation and Aquatic Center. On August 28, 2019, Marcus Gallegos, Recreation Manager, presented information about the bike rental program. At a subsequent meeting on October 2, 2019, the formal program proposal was presented and was determined that additional details were needed and a determination from the New Mexico Self Insurers’ Fund (NMSIF) regarding the cost and liability of such a program. On December 2, 2019, Marcus Gallegos and Juan Fuentes met with Kathy Hennessy from the NMSIF to conduct a site visit and discuss the program details. Ms. Hennessy determined that the proposed program was reasonable and could be included in the existing policy for a minimal increase to the annual premium. The proposed Bike Rental Pilot Program will increase the City’s General Liability Insurance by $500 per year.

PUBLIC PARTICIPATION: Bob Edwards

A voice vote was 8-0 and the motion passed with Councilors Roebuck and Sanchez being absent.

CITY MANAGER REPORTS/ANNOUNCEMENTS
Mr. Neeb discussed temporary signage.

PUBLIC PARTICIPATION ON NON-AGENDA ITEMS
None

ADJOURNMENT
Meeting adjourned at 7:04 p.m.

Approved on this 12th day of March 2020.

(City Seal)

DENNIS KINTIGH, MAYOR

SHARON COLL, CITY CLERK