



BENNY L. JASSO, MAYOR

AARON SERA, ADMINISTRATOR

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POPULATION 14,000

CITY COUNCIL MEETING AGENDA April 18, 2023 5:30 P.M.

Please join the meeting from your computer, tablet or smartphone.
<https://meet.goto.com/CityofDeming> Or Using your Phone: [1 866 899 4679](tel:18668994679)
Access Code: 595-334-189 Password: 595334189

CALL TO ORDER/PLEDGE OF ALLEGIANCE/ATTENDANCE ROLL CALL

1. Consent Agenda
 - A. Minutes
 - a. Regular City Council March 21, 2023
 - b. Tourism Development Committee February 23, 2023
2. Legislative Update – by Siah Correa-Hemphill from Southwest New Mexico Council of Governments
3. Proclamation Declaring May 4th as National Day of Prayer
4. Proclamation Declaring the Week of May 8-12th as National Economic Development Week
5. Proclamation Declaring May 13th as Lemonade Day
6. Proclamation Declaring the Month of May as Motorcycle Awareness Month
7. Request for Approval to Amend Fees and Hours of Operation at Sam Baca Aquatic Center
8. Approval of Amendment to Administrative Regulation DM 09-16
9. Quasi-Judicial Public Hearing: To Consider a Setback Variance for Michele Shillito
10. Administrator's Report
11. Adjourn Meeting

The next regular City Council Meeting is scheduled for May 16, 2023 at 5:30 p.m.

CITY COUNCIL MEETING MINUTES

April 18, 2023

Remote meeting in compliance with the
New Mexico Open Meetings Act

Council Present:

Benny L. Jasso, Mayor	Monica Topham, Mayor Pro Tem
Joe "Butter Milo", Councilor	Alex Valdespino, Councilor
Irmaisela A. Rodriguez, Councilor	

Council Present (Telephonically/Virtually):

Council Absent:

Staff Present:

Aaron Sera, City Administrator	Laura Holguin, Finance Director/CFO
Joe Owen, Fire Chief	Clint Hogan, Chief of Police
Jim Massengill, Public Works Director	Azucena Vargas, Community Services Director
Lane Camfield, Planner	Raul Madrid, Asst. Community Services Director
Adrian Coloma, IT	Amanda Sanders, Public Information Officer

Staff Present (Telephonically/Virtually):

Recording Secretary: Mary Corral, Administrative Assistant

Mayor Jasso called the meeting to order at 5:30 p.m. and led the Pledge of Allegiance. Prior to opening the regular meeting, Mayor Jasso allowed the opportunity for public comments.

Mayor Jasso asked for a Roll Call, as follows, determining a quorum:

Mayor Pro Tem Topham	Present
Councilor Milo	Present
Mayor Jasso	Present

Councilor Valdespino	Absent
Councilor Rodriguez	Absent

1. Consent Agenda

Mr. Sera stated he had nothing to discuss on the consent agenda. Mayor Jasso asked Council if they had any questions or if they were prepared to make a motion.

Councilor Milo motioned to approve the consent agenda, as submitted; Mayor Pro Tem Topham second the motion; motion carried by the following roll call vote:

ROLL CALL VOTE

Mayor Pro Tem Topham	Aye
Councilor Milo	Aye
Mayor Jasso	Aye

2. Legislative Update – by Siah Correa-Hemphill from Southwest New Mexico Council of Governments

Senator Correa-Hemphill addressed Mayor Jasso and Council providing a legislative update on Capital Outlay and Legislative Bills pertaining to Luna County. Mr. Sera thanked Senator Correa-Hemphill for her efforts in successfully funding Luna County and the City of Deming.

3. Proclamation Declaring May 4th as National Day of Prayer

Mayor Jasso read the proclamation for the record and asked Council for a motion.

Councilor Milo motioned to approve the proclamation, as submitted; motion second by Mayor Pro Tem Topham; motion carried by following roll call vote:

ROLL CALL VOTE

Mayor Pro Tem Topham	Aye
Mayor Jasso	Aye
Councilor Milo	Aye

4. Proclamation Declaring the Week of May 8-12th as National Economic Development Week

Mayor Jasso read the proclamation for the record and asked Council for a motion.

Councilor Milo motioned to approve the proclamation, as submitted; motion second by Mayor Pro Tem Topham; motion carried by following roll call vote:

ROLL CALL VOTE

Mayor Pro Tem Topham	Aye
Councilor Milo	Aye
Mayor Jasso	Aye

5. Proclamation Declaring May 13th as Lemonade Day

Mayor Jasso read the proclamation for the record and asked Council for a motion.

Mayor Pro Tem Topham motioned to approve the proclamation, as submitted; motion second by Councilor Milo; motion carried by following roll call vote:

ROLL CALL VOTE

Mayor Pro Tem Topham	Aye
Councilor Milo	Aye
Mayor Jasso	Aye

6. Proclamation Declaring the Month of May as Motorcycle Awareness Month

Mayor Jasso read the proclamation for the record and asked Council for a motion.

Councilor Milo motioned to approve the proclamation, as submitted; motion second by Mayor Pro Tem Topham; motion carried by following roll call vote:

ROLL CALL VOTE

Mayor Pro Tem Topham	Aye
Councilor Milo	Aye
Mayor Jasso	Aye

CITY OF DEMING
Proclamation
National Day of Prayer

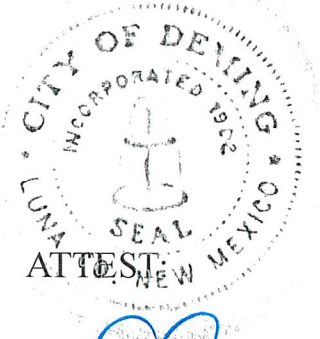
WHEREAS, The National Day of Prayer is a tradition first proclaimed by the Continental Congress in 1775 while forming a new nation; and

WHEREAS, in 1988, legislation was unanimously ratified by both Houses of Congress and signed by President Ronald Reagan stating that the National Day of Prayer was to be observed on the first Thursday of every May; and

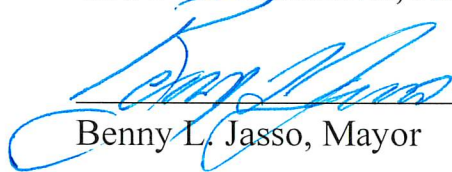
WHEREAS, it is fitting and proper to give thanks to the Lord by observing this day in Deming when all may acknowledge our blessings and express gratitude for them, while recognizing the need for strengthening religious and moral values in our state and nation.

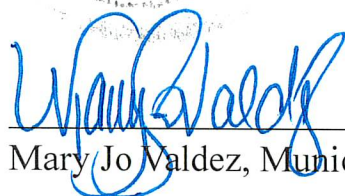
NOW THEREFORE, I, Benny L. Jasso, Mayor of the City of Deming, do hereby proclaim Thursday, May 4, 2023, as “***A DAY OF PRAYER***” and urge the citizens of Deming to stand in unity on this day to pray for America and the world.

Done this 18th day of April 2023 in the City of Deming, New Mexico.



CITY OF DEMING, NEW MEXICO


Benny L. Jasso, Mayor


Mary Jo Valdez, Municipal Clerk

CITY OF DEMING
Proclamation
FOR ECONOMIC DEVELOPMENT WEEK

WHEREAS, the International Economic Development Council is the largest professional economic development organization dedicated to serving economic developers; and

WHEREAS, the International Economic Development Council provides leadership and excellence in economic development for communities, members, and partners through conferences, training courses, advisory services and research, in-depth publications, public policy advocacy, and initiatives such as the Accredited Economic Development Organization program and the Certified Economic Developer designation; and

WHEREAS, economic developers promote economic well-being and quality of life for their communities by creating, retaining, and expanding jobs that facilitate growth, enhance wealth, and provide a stable tax base; and

WHEREAS, economic developers stimulate and incubate entrepreneurship in order to help establish the next generation of new businesses, which is the hallmark of the American economy; and

WHEREAS, economic developers are engaged in a wide variety of settings including rural and urban, local, state, provincial, and federal governments, public-private partnerships, chambers of commerce, universities, main street programs, and a variety of other institutions; and

WHEREAS, economic developers attract and retain high-quality jobs, develop vibrant communities, and improve the quality of life in their regions; and

WHEREAS, economic developers work in the City of Deming within County of Luna, within the State of New Mexico; and

NOW, THEREFORE, BE IT PROCLAIMED that the Mayor and City Council of the City of Deming do hereby recognize May 8-12, 2023, as "National Economic Development Week" in the City of Deming and remind individuals of the importance of this community celebration which supports expanding career opportunities and improving quality of life.

BE IT FURTHER PROCLAIMED that the City Council is authorized and directed to transmit an appropriate copy of this resolution to Deming Luna County Economic Development, Inc. and the International Economic Development Council.

IN TESTIMONY WHEREOF the Mayor of the City of Deming has hereunto subscribed his name and have caused the Official Seal of the City of Deming to be hereunto affixed in on this 18th day of April 2023.

CITY OF DEMING, NEW MEXICO


Benny L. Jasso, Mayor

ATTEST


Mary Jo Valdez, Municipal Clerk

Proclamation Lemonade Day

WHEREAS, Lemonade Day was created to help today's youth become the business leaders, social advocates, community volunteers and forward-thinking citizens of tomorrow, one lemonade stand at a time: and,

WHEREAS, the foremost objective of Lemonade Day is to empower youth to take ownership of their lives and become productive members of society; the business leaders, social advocates, volunteers, and forward thinking citizens of tomorrow; and,


WHEREAS, Lemonade Day inspires people in the community to step up and lead a child already in their lives through the steps of starting, owning and operating their very own business, a lemonade stand.

NOW, THEREFORE, I, Benny L Jasso, do hereby proclaims May 13, 2023, as "Lemonade Day" in the City of Deming and I encourage all citizens to recognize the importance of committing themselves to the education of our children in preparation for their future.

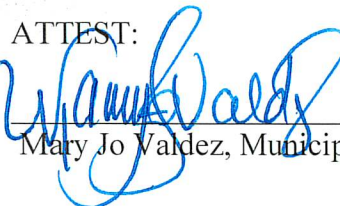
Signed this 18th day of April 2023 in the City of Deming, New Mexico.



CITY OF DEMING, NEW MEXICO


Benny L. Jasso, Mayor

ATTEST:


Mary Jo Valdez, Municipal Clerk

Proclamation

Declaring May 2023 as Motorcycle Awareness Month

WHEREAS, New Mexico's extensive road systems provide some of the most magnificent riding in the United States, making Deming an ideal location for motorcycle use; and

WHEREAS, many registered motorcyclists, who undergo extensive training and testing in order to obtain a license, call Deming home and enjoy the roadways we have to offer; and

WHEREAS, riders face a higher risk on the road than those operating vehicles. Statistics show that those operating vehicles are at fault in the majority of all accidents involving a motorcycle; and

WHEREAS, it is imperative that motorists always exercise caution and stay alert while traveling on Deming's road systems; and

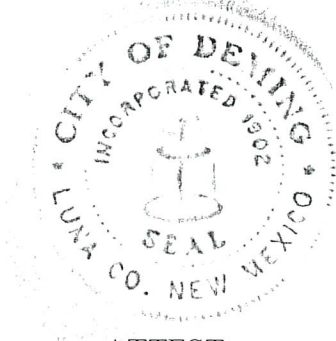
WHEREAS, the National Highway Traffic Safety Administration has declared May as "Motorcycle Awareness Month"; it is the desire of this Mayor's office to join the NHTSA in raising awareness of the growing number of motorcyclists on Deming's roadways in order to help prevent accidents and most importantly, save lives.

NOW, THEREFORE, I, Benny L Jasso, Mayor of Deming, do hereby proclaim May 2023 as:


MOTORCYCLE AWARENESS MONTH

In Deming, and encourage all New Mexicans to renew their commitment to safe driving practices, to watch for motorcyclists, and to be aware of all who share the road.

Signed this 18th day of April 2023 in the City of Deming, New Mexico.



CITY OF DEMING, NEW MEXICO


Benny L. Jasso, Mayor

ATTEST:


Mary Jo Valdez, Municipal Clerk

7. Request for Approval to Amend Fees and Hours of Operation at Sam Baca Aquatic Center

Ms. Vargas addressed Council requesting an increase in fees, as attached. Mr. Sera added that depending on the number of lifeguards hired, he is requesting the approval of the flexibility to adjust the hours of operation at the pool in efforts of preventing burnout of the lifeguards.

Councilor Milo motioned to approve the fees, as submitted and to approve that staff have the flexibility to adjust the hours of operation at the pool, as presented; motion second by Mayor Pro Tem Topham; motion carried by following roll call vote:

ROLL CALL VOTE

Mayor Pro Tem Topham	Aye
Councilor Milo	Aye
Mayor Jasso	Aye

8. Approval of Amendment to Administrative Regulation DM09-16

Ms. Alonzo addressed Mayor Jasso and Council stating that the requirement for insurance purposes is to have a valid license from New Mexico. Mr. Sera added that if an employee lives in a different state, they will be covered; however, they cannot live in the state of New Mexico and have a license in another state.

Mayor Pro Tem Topham motioned to approve the amendment to DM 09-16, as staff presented; motion second by Councilor Milo; motion was approved by the following roll call vote:

ROLL CALL VOTE

Mayor Pro Tem Topham	Aye
Councilor Milo	Aye
Mayor Jasso	Aye

Mayor Jasso asked that all parties interested in providing testimony for the cases listed in item 9 sign-in and be sworn-in by raising their right hand and stating “I do so affirm” once he read the oath. All parties swore-in.

9. Quasi-Judicial Public Hearing: To Consider a Setback Variance for Michele Shillito

Mayor Jasso conducted a quasi-judicial public hearing to consider a setback variance for Michele Shillito.

Mayor Jasso asked if all hearing notices were posted properly. Ms. Corral confirmed.

Mayor Jasso called the hearing to order and asked if Council had any conflicts of interest; they did not.

Mr. Camfield, City Planner, presented the item to Council stating that the applicant is requesting a variance to absolve setback requirements for the construction of a 26’ x 45’ metal building on the west side of the residence located at 306 W. Oak Street. Mr. Camfield explained that the metal building will be against the property wall adjacent to the alley.

Mr. Camfield mentioned the minimum setback requirements of 7.5 feet from the property line. Mr. Camfield added that the Deming Fire Department has no issues if the structure does not encroach over the property line.

Mayor Jasso asked if staff or Council had any questions of staff. Councilor Milo asked where the entryway would be. Mr. Camfield stated the entry would be through the property itself.

Councilor Milo asked if it would be far enough from their residence. Mr. Camfield stated that the building would be close to the residence.

Mayor Jasso asked if the applicant would like to speak.

Frank Torres, contractor for Michele Shillito, stated that the permit is obtained from NMCID. Adding that the building will drain into her property; the location is 7.5’ away from her house so PNM can have access to turn off electricity; the gas meter is set outside the property; and added that the other concern was that she has an expensive motor home that she wishes to protect.

Mayor Jasso asked if there were any affected or interested parties that would like to speak. There were none.

Mayor Jasso closed the public hearing and asked for Council’s decision and asked if Council wished to go into closed session pursuant to NMSA 1978 10-15-1 (H) 3 of the Open Meetings Act, to discuss the item.

Mayor Pro Tem Topham motioned to approve the variance request, as staff presented with the conditions; motion second by Councilor Milo;

ROLL CALL VOTE

Mayor Pro Tem Topham Aye

Councilor Milo Aye

Mayor Jasso Aye

10. Administrator's Report

- Mr. Sera stated that there's a lot that happened during the legislative session which will benefit New Mexico. The tax bill has pyramiding language that is being followed as it will come back to the City of Deming.
- Working on the development at the Kmart building and other properties in Deming. Unfortunately, we don't necessarily have what developers are seeking but a contract will be renewed with Mr. Griffith, a developer.
- Working on projects – City lost the Assistant Community Services Director. Inflatable Water Park is being setback due to work that has changed but staff is making progress.

11. Adjourn Meeting

With no further business to discuss, Mayor Jasso entertained a motion to adjourn the meeting.

Councilor Milo motioned to adjourn the meeting; Mayor Pro Tem Topham second the motion; motion carried unanimously. The meeting adjourned at 6:37 p.m.



CITY OF DEMING, NEW MEXICO


Benny L. Jasso, Mayor

ATTEST:


Mary Jo Valdez, Municipal Clerk