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POPULATION 14,758

CITY COUNCIL MEETING
AGENDA
January 16, 2024
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

PRAYER / CALL TO ORDER / PLEDGE OF ALLEGIANCE / ATTENDANCE ROLL CALL

1. Nomination of and Election of Mayor Pro Tem
2. Consent Agenda
 - A. Minutes
 - a. Regular City Council December 19, 2023
 - B. Annually Passed Resolutions
 - a. Adoption of the Open Meetings Act
 - b. Adoption of Procurement Practices Pursuant to NMSA 1978, Sections 13-1-28 to 13-1-199, and NMSA 1978, Sections 13-4-1 to 13-4-42 Public Works Contracts
 - c. Adoption of NMAC 2.42.2 Pursuant to NMSA 1978, Sections 10-8-5 and 9-6-5 Concerning Traveling and Per Diem Regulations
 - d. Adoption of Required Community Development Block Grant Certifications and Commitments
 - C. Out of State Travel Request for Police Department Officers to Attend Tactical Tracking Class in Kane County, Utah from April 23rd – 26th and the National School Safety Conference in Phoenix, Arizona from July 14 – 19, 2024
3. Presentation of Awards to Participants of the Desert Jewlz Photography Camp
4. Presentation by Luna County Farm and Livestock Bureau Regarding National Monument Designation
5. Resolution: Opposing the Designation of the Mimbres Peaks National Monument
6. Resolution: To Appoint Authorized Signers for City of Deming Documents Required by Financial Institutions
7. Approval/Disapproval to Continue Proposed Projects
 - a. Public Safety Facility Relocation to 309 S. Gold Ave.
 - b. City of Deming Incubator Facility
 - c. Gold Street Diet Project Phase I and Phase II

The next regular City Council Meeting is scheduled for February 20, 2024, at 5:30 p.m.

8. Public Hearing: To Consider an Ordinance Amending Title 8, Chapter 2, with the Addition of Article 6 Peru Mill Law Enforcement Training Facility, of the Municipal Code
9. Administrators Report
10. Closed Session: Pursuant to NMSA, 1978 10-15-1, H (7) To Discuss Threatened and/or Pending Litigation and NMSA, 1978 10-15-1, H (8) To Discuss Rio Mimbres Country Club Property Acquisition and Amending a Contract with Rio Mimbres Country Club
11. Open Session: Motions, if any
12. Adjourn Meeting

The next regular City Council Meeting is scheduled for February 20, 2024, at 5:30 p.m.

CITY COUNCIL MEETING MINUTES

January 16, 2024

Remote meeting in compliance with the
New Mexico Open Meetings Act

Council Present:

Michele C. Shillito, Mayor
Joe “Butter Milo, Councilor
Julian Monjaras, Councilor
Stephen Westenhofer, Councilor

Council Present (Telephonically/Virtually):

Irmaisela A. Rodriguez, Councilor

Council Absent:

Staff Present:

Aaron Sera, City Administrator
Azucena Vargas, Community Services Director
Cint Hogan, Chief of Police
Joe Owen, Fire Chief
Amanda Sanders, Public Information Officer
Julian Hernandez, Battalion Chief Fire Department
Jim Massengill, Public Works Director
Laura Holguin, Finance Director
Jeremy Gervais, Special Projects Coordinator
Adrian Coloma, IT
Yeimi Bustos, Receptionist
Lane Camfield, Planner I

Staff Present (Telephonically/Virtually):

Recording Secretary: Mary Jo Valdez, CMC – Municipal City Clerk

Mayor Shillito called for Pastor Duffy to lead in prayer.

Mayor Shillito called the meeting to order at 5:30 p.m. and led the Pledge of Allegiance.

A quorum was verified with a roll call.

ROLL CALL VOTE

Councilor Milo	Aye
Councilor Westenhofer	Aye
Councilor Monjaras	Aye
Councilor Rodriguez	Aye

1. Nomination of and Election of Mayor Pro Tem

Councilor Milo nominated Councilor Westenhofer. Councilor Monjaras nominated Councilor Rodriguez. Mayor Shillito asked if she needed to vote to break a tie. Ms. Valdez stated no, asking Councilor Westenhofer if he accepted the nomination. Councilor Westenhofer stated he would accept but that he would also fully support Councilor Rodriguez as she has experience that he did not. Ms. Valdez asked Councilor Rodriguez if she accepted the nomination; Councilor Rodriguez accepted the nomination.

Councilor Milo stated that he felt Councilor Westenhofer would be the perfect candidate because he is retired, and Councilor Rodriguez has her own business and may not be available.

Councilor Milo nominated Councilor Westenhofer; Councilor Monjaras withdrew his nomination; Ms. Valdez confirmed that Councilor Westenhofer accepted the nomination; Councilor Westenhofer accepted the nomination. Councilor Monjaras second the motion to elect Councilor Westenhofer as Mayor Pro Tem; motion carried by following roll call vote:

<u>ROLL CALL VOTE</u>	
Councilor Rodriguez	Aye
Councilor Monjaras	Aye
Councilor Westenhofer	Aye
Councilor Milo	Aye

2. Consent Agenda

Mayor Shillito asked Council if they had any questions or if they were prepared to make a motion.

Councilor Rodriguez motioned to approve the consent agenda, as submitted; Councilor Milo asked if item d. in the consent agenda is related to a new project. Mr. Sera stated that they are for the next year's funding process;

Councilor Milo asked about item C. regarding out of state training for police asking if they have to pay for their own training; Mr. Sera stated that it is paid out of budget and explained that travel out of state over 150 miles requires Council's approval;

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

<u>ROLL CALL VOTE</u>	
Councilor Rodriguez	Aye
Councilor Monjaras	Aye
Mayor Pro Tem Westenhofer	Aye
Councilor Milo	Aye

3. Presentation of Awards of Participants of the Desert Jewlz Photography Camp

Ms. Arias-Ward addressed Council, introducing Ms. Jewly and asked Mayor Shillito to come forward for photos with recipients. Ms. Jewly stated she is a 5th generation photographer, and provided family history. Awards were presented.

4. Presentation by Luna County Farm and Livestock Bureau Regarding National Monument Designation

Mr. Sera stated that the presentation was given during the workshop. .

5. Resolution: Opposing the Designation of the Mimbres Peaks National Monument

Councilor Rodriguez motioned to approve the resolution, as submitted; motion second by Mayor Pro Tem Westenhofer; motion carried by following roll call vote:

Councilor Monjaras addressed the public stated that he supports the public and doesn't want the lively hood of the farmers to be taken away.

<u>ROLL CALL VOTE</u>	
Councilor Rodriguez	Aye
Councilor Milo	Aye
Mayor Pro Tem Westenhofer	Aye
Councilor Monjaras	Aye

6. Resolution: To Appoint Authorized Signers for City of Deming Documents Required by Financial Institutions

Ms. Holguin stated that the resolution is required by financial institutions and noted the signers.

Mayor Shillito asked for a roll call vote. Ms. Valdez stated that there needed to be a motion and a second before roll call. Mayor asked if Council was prepared to make a motion.

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

ROLL CALL VOTE

Councilor Rodriguez	Aye
Councilor Monjaras	Aye
Mayor Pro Tem Westenhofer	Aye
Councilor Milo	Aye

7. Approval/Disapproval to Continue Proposed Projects

Mr. Sera stated that the projects were discussed during the workshop and stated that he would answer any additional questions.

Councilor Milo asked what plans were in place for utilizing the existing Police Department, Economic Development, and Planning buildings; asking if they would be used for the safety facility.

Mr. Sera stated that it would not be a part of the public safety facility; adding that it would depend on what Council would vote on.

Mayor Pro Tem Westenhofer stated that he felt the public safety facility was time sensitive as opposed to the others. Mr. Sera agreed.

Mayor Pro Tem Westenhofer motioned to proceed with item 7.a. Public Safety Facility Relocation to 309 S. Gold; motion second by Councilor Milo; motion carried by following roll call vote.

ROLL CALL VOTE

Councilor Rodriguez	Aye
Mayor Pro Tem Westenhofer	Aye
Councilor Monjaras	Aye
Councilor Milo	Aye

Ms. Valdez advised that a motion was needed for items 7.b. and 7.c.. Mayor Shillito asked Council for a motion.

Mayor Pro Tem Westenhofer motioned to postpone items 7.b and 7.c.; motion second by Councilor Rodriguez; motion carried by following roll call vote:

ROLL CALL VOTE

Councilor Monjaras	Aye
Councilor Milo	Aye
Councilor Rodriguez	Aye
Mayor Pro Tem Westenhofer	Aye

8. Public Hearing: To Consider an Ordinance Amending Title 8, Chapter 2, with the Addition of Article 6 Peru Mill Law Enforcement Training Facility, of the Municipal Code

Mayor Shillito conducted a public hearing to Consider an ordinance amending Title 8, Chapter 2, with the addition of Article 6 Peru Mill Law Enforcement Training Facility, of the Municipal Code. Mr. Gervais stated that there would be 2 lanes open for the public's use and added that the ordinance is proposed to establish rules.

Mayor Shillito asked if Council had any questions. There were none.

Mayor Shillito opened for public comments. There were none.

Mayor Shillito, with no further comments, closed public comments.

Mayor Shillito asked Council if they were prepared to make a motion.

Councilor Milo motioned to approve the ordinance, as presented; motion second by Councilor Rodriguez; motion carried with the following ROLL CALL VOTE:

ROLL CALL VOTE

Councilor Milo Aye

Councilor Rodriguez Aye

Councilor Monjaras Aye

Mayor Pro Tem Westenhofer Aye

9. Administrator's Report

- Mr. Sera stated that he's researched a lot on national monuments
- Work on Harbor Freight has been ongoing for countless hours; title reports are pending. The store should open in June timeframe.
- Letters of intent has been received from Marshall's. It's in negotiations.
- Local entities are interested in being located in the building next door, as well.

10. Closed Session: Pursuant to NMSA, 1978 10-15-1, H(7) To Discuss Threatened and/or Pending Litigation and NMSA, 1978 10-15-1, H(8) To Discuss Rio Mimbres Country Club Property Acquisition and Amending a Contract with Rio Mimbres Country Club

Mayor Shillito asked Council for a motion to go into closed session.

Councilor Milo motioned to go into closed session, as listed; motion second by Mayor Pro Tem Westenhofer; motion carried with the following ROLL CALL VOTE:

ROLL CALL VOTE

Councilor Rodriguez Aye

Councilor Monjaras Aye

Councilor Milo Aye

Mayor Pro Tem Westenhofer Aye

11. Open Session: Motions, if any

Mayor Shillito asked for a motion to go back into open session.

Councilor Milo motioned to go back into open session; motion second by Councilor Monjaras; motion carried by the following roll call vote:

ROLL CALL VOTE

Councilor Monjaras	Aye
Councilor Milo	Aye
Councilor Rodriguez	Aye
Mayor Pro Tem Westenhofer	Aye

Mayor Shillito stated that only those items listed on the agenda were discussed and that no motions were made during closed session.

Councilor Monjaras motioned to authorize the purchase of Rio Mimbres Country Club Corporation at 90% of the appraised value and to authorize the City Manager to negotiate any details with the transaction;

For the record, Mayor Pro Tem Westenhofer recused himself and disclosed a conflict of interest because he is a stockholder of Rio Mimbres Country Club Corporation.

Motion second by Councilor Milo; motion carried by the following roll call vote:

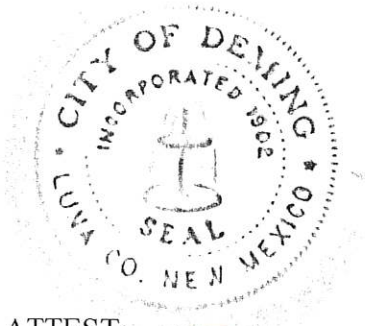
ROLL CALL VOTE

Councilor Rodriguez	Aye
Councilor Milo	Aye
Councilor Monjaras	Aye

12. Adjourn Meeting

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

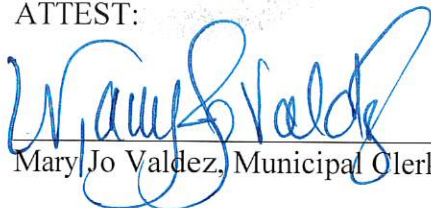
Councilor Milo motioned to adjourn the meeting; motion carried unanimously. The meeting adjourned at 6:54 p.m.



CITY OF DEMING, NEW MEXICO


Michele Shillito, Mayor

ATTEST:


Mary Jo Valdez, Municipal Clerk