

**LINKED MINUTES OF A REGULAR MEETING OF THE CITY COUNCIL OF THE
CITY OF CARLSBAD, NEW MEXICO, HELD IN THE MUNICIPAL ANNEX
BUILDING ON JANUARY 26, 2021 AT 6:00 P.M.**

Present:	Dale Janway	Mayor
	Edward T. Rodriguez	Councilor
	Leo B. Estrada	Councilor
	Jason O. Chavez	Councilor
	Jason Shirley	Councilor <i>via telephone</i>
	Judith E. Waters	Councilor
	Wesley A. Carter	Councilor
	Mark C. Walterscheid	Councilor
	Lisa A. Anaya-Flores	Councilor

Absent:

Also Present:	John Lowe	City Administrator
	Wendy Austin	Deputy City Administrator
	Denise Madrid-Boyea	City Attorney
	Nadine Mireles	City Clerk
	Jeff Patterson	Planning Director
	Brent Griffith	IT Technician
	Charlie Garcia	Police Officer
	Kyle Marksteiner	Public Information Officer
	Chad Ingram	EAS Committee Member
	Janell Whitlock	EAS Committee Member
	Don George	EAS Committee Member
	Daniel Rempel	Yellowbrix Owner
	Jim Waters	Citizen
	Jay Jenkins	Higher Education Task Force Member
	Craig Stephens	Higher Education Task Force Member

Time Stamps and headings below correspond to recording of meeting and the recording is hereby made a part of the official record.

0:00:00	Call Meeting to Order
0:00:06	Invocation - Pledge of Allegiance
0:00:40	<u>1. APPROVAL OF AGENDA</u>
0:00:43	Motion

The motion was made by Councilor Carter and seconded by Councilor Walterscheid to approve Agenda

0:00:45 **Vote**

The vote was as follows: Yes - Chavez, Waters, Carter, Rodriguez, Estrada, Shirley, Walterscheid, Anaya-Flores; No - None; Absent- None; the motion carried

0:01:04 **2. ROUTINE AND REGULAR BUSINESS**

- A. Minutes of the Special City Council Meeting held on January 5, 2021
- B. Minutes of the Regular City Council Meeting held on January 12, 2021
- C. City Personnel Report
- D. Purchasing
 - 1) Consider Approval to Award RFP 2020-23 to DN Tanks for Reservoir #2 Rehabilitation Project for the Water Department
 - 2) Consider Approval to Award Bid 2021-01 to RD Wilson Construction for Weed and Debris Removal Services
- E. Monthly Reports
 - 1) Community Development Department December 2020
 - 2) Municipal Services Department December 2020
 - 3) Utilities Department December 2020
- F. Board Appointments
 - 1) Carlsbad Public Library Board of Trustees Appoint: Rebecca Cannon four-year term
- G. Set the Date: March 9, 2021
 - 1) Ordinance rezoning part of "R-2" Residential 2 District to "C-2" Commercial 2 District for an approximately 0.922 acre property located North of 4019 National Parks Hwy

0:01:26 **Mayor Janway asked Mr. Myers to discuss D.1 Approval to Award RFP 2020-23 to DN Tanks for Reservoir #2 Rehabilitation Project for the Water Department and Mr. Lowe to discuss D.2 Approval to Award Bid 2021-01 to RD Wilson Construction for Weed and Debris Removal Services and asked Mr. Myers explained there is a 5 million gallon water tank west of Holland St., this tank has been in service for 60+ years and has started to show signs of wear. He said 6 or 7 years ago leaks started appearing, in 2017 a contractor was brought in, the tank was drained and some spot patching was completed. He said leaks still continued after the spot patching. He said in December a RFP was advertised and DN Tanks is the best proposal for the city of the three received and ranked. He said he is recommending DN Tanks to be awarded this project.**

Councilor Walterscheid asked what kind of liner will be put in, fiberglass or plastic. **Mr. Myers** explained it is a rubber liner that is sprayed in. He said it is similar to a pool liner.

Mr. Lowe explained the city solicited bids for the service and received four bids with RD Wilson coming in with the lowest bid at \$2,137.00 per acre or more and a price of \$1,137.00 for an acre. He said he is requesting approval to award bid 2021-01 to RD Wilson Construction for Weed and Debris Removal Service on condemnations.

Mayor Janway asked if there were any questions for Mr. Lowe, there were none.

0:03:51 **Motion**

The motion was made by Councilor Carter and seconded by Councilor Rodriguez to approve Routine and Regular Business

0:04:00 **Vote**

The vote was as follows: Yes - Chavez, Waters, Carter, Rodriguez, Estrada, Shirley, Walterscheid, Anaya-Flores; No - None; Absent- None; the motion carried

0:04:18 **3. CONSIDER APPROVAL OF LIQUOR LICENSE APPLICATION, THE APPLICANT IS SEEKING A TRANSFER OF OWNERSHIP AND CHANGE OF LOCATION ON INTER-LOCAL DISPENSER LIQUOR LICENSE NO 2789. THE APPLICANT IS REQUESTING A WAIVER AS IT IS WITHIN 300 FEET OF A CHURCH**

0:04:37 **Mr. Lowe** explained Yellowbrix currently holds a beer and wine license. He said they would like to have a liquor license to provide additional drinks for their customers. He said a meeting was held on December 19, 2020, no one attended to oppose the liquor license.

Mayor Janway asked if there were any questions, there were none.

0:05:13 **Motion**

The motion was made by Councilor Rodriguez and seconded by Councilor Estrada to approve Liquor License Application, the applicant is seeking a transfer of ownership and change of location on Inter-Local Dispenser Liquor License No 2789. The applicant is requesting a waiver as it is within 300 feet of a church

0:05:21 **Vote**

The vote was as follows: Yes - Chavez, Waters, Carter, Rodriguez, Estrada, Shirley, Walterscheid, Anaya-Flores; No - None; Absent- None; the motion carried

0:05:43 **4. CONSIDER APPROVAL OF RECOMMENDATION FROM ESSENTIAL AIR SERVICE COMMITTEE FOR EAS CONTRACT TO BOUTIQUE AIR**

Mr. Don George, Committee Chairman thanked Mayor Janway and the Councilors for allowing them to be part of this committee. He said there were four proposals received and the committee reviewed the proposals and the requirements. He said the

committee met on January 11, 2021 they looked at locations, flight schedules, and took in the data and reviewed each proposal. He said it was decided by the committee that there was enough data to make a decision. He said the decision was unanimous to recommend, Boutique Airline, option #1. He said this option is the same flights and schedule as we have today.

Councilor Walterscheid clarified a statement he had made at a previous meeting concerning Boutique Air leaving him twice. He said was contacted by a representative and added he appreciates that they would reach out to customers to rectify the issues.

Councilor Rodriguez thanked Don George and the committee. He said it was not a small task and he appreciates the time and effort the committee took to complete this task and respects their decision.

0:12:23 **Motion**

The motion was made by Councilor Rodriguez and seconded by Councilor Estrada to approve Approval of Recommendation from Essential Air Service Committee for EAS Contract to Boutique Air

0:12:37 **Vote**

The vote was as follows: Yes - Chavez, Waters, Carter, Rodriguez, Estrada, Walterscheid, Anaya-Flores; No - None; Absent- None; the motion carried Abstained - Shirley

0:13:20 **5. CONSIDER APPROVAL OF RESOLUTION 2021-06, A RESOLUTION SUPPORTING INDEPENDENCE FOR THE COLLEGE IN CARLSBAD**

Craig Stephens thanked Mayor Janway, John Heaton who is his Co-Chairman, and the task force. He explained the task force has been meeting since October 2020. He said the task force voted unanimously to support the college seeking independence from NMSU. The campus voted in an anonymous vote 76% to seek independence. He said a preliminary plan has been submitted to HED for their perusal. He said Representative Catherine Brown is preparing a bill to present to the legislature, and there is a meeting scheduled with the Governor on Tuesday, February 2, 2021.

Mayor Janway asked if there were any questions for Mr. Stephens. There were none.

Mr. Jenkins, President of CNB Bank, said he is a member of the committee, and added that CNB Bank submitted a letter along with other businesses to recommend breaking away from the NMSU system. He said being a business man it really bothered him that NMSU has \$36 million of our local money and it has not being spent locally. He said it is a travesty. He said we have state of the art programs, our community has proven we can take charge and do what it takes.

Mayor Janway asked if anyone would like to speak regarding the Resolution.

Mr. Stephens added to Mr. Jenkins statement about the money that has not been spent locally. He said the money needs to stay in Carlsbad and the college should be earning the interest on the money.

Councilor Walterscheid added a comment about WIPP doing waste handling classes at the college, as he understands Hobbs offers the class. He said he feels WIPP would be a great group to be in the college.

Mr. Stephens stated they have met with ENMSU, he said they run their branches totally different than NMSU, and they would love to work with this college. He said ENMSU offers different programs than NMSU, they offer drama, music and film, and could be incorporated in Carlsbad. He said we can direct this college to fit with Carlsbad and the surrounding areas and the college can be adapted to what Carlsbad needs.

Mayor Janway added that we shouldn't forget about the potash mines. **Mr. Stephens** agreed with Mayor Janway. **Mr. Stephens** said the mines have given large sums of money to the college. He said he feels there would be more stability with a local board and a local president.

Councilor Carter thanked the committee for all their hard work, he explained his "no" vote at the January 5, 2021 meeting. He said it was more out of frustration at the current situation of people drowning due to the pandemic. He felt the City should have been putting more effort into helping our local businesses during this pandemic.

0:20:15 **Motion**

The motion was made by Councilor Carter and seconded by Councilor Anaya-Flores to approve Resolution 2021-06, a Resolution Supporting Independence for the College in Carlsbad

0:20:15 **Vote**

The vote was as follows: Yes - Chavez, Waters, Carter, Rodriguez, Estrada, Shirley, Walterscheid, Anaya-Flores; No - None; Absent- None; the motion carried

0:20:41 **6. COUNCIL COMMITTEE REPORTS**

Councilor Shirley said he would like to give kudos to our Representatives and Senators, they are doing an incredible job for us in a very difficult environment. He said we owe them a lot and we need to continue supporting them as they continue to fight for us.

Mayor Janway thanked Councilor Shirley for the work he is doing in Santa Fe.

0:21:28 Mayor Janway asked if there was anyone present that would like to address Council. No one appeared.

0:21:36 7. ADJOURN

0:21:37 **Motion**

The motion was made by Councilor Anaya-Flores and seconded by Councilor Waters to approve

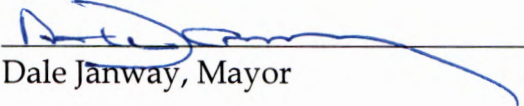
0:21:45 **Vote**

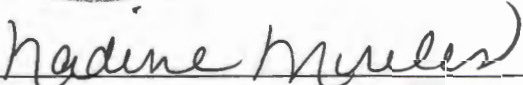
The vote was as follows: Yes - Chavez, Waters, Carter, Rodriguez, Estrada, Shirley, Walterscheid, Anaya-Flores; No - None; Absent- None; the motion carried

0:13:47 **Adjourn**

There being no further business, the meeting was adjourned at 6:22 p.m.




Dale Janway, Mayor


Nadine Mireles, City Clerk