

**LINKED MINUTES OF A REGULAR MEETING OF THE CITY COUNCIL OF THE
CITY OF CARLSBAD, NEW MEXICO, HELD IN THE MUNICIPAL ANNEX
BUILDING ON FEBRUARY 23, 2021 AT 6:00 P.M.**

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

Absent:

Also Present:	Wendy Austin	Deputy City Administrator
	Denise Madrid-Boyea	City Attorney
	Nadine Mireles	City Clerk
	Jeff Patterson	Planning Director
	Brent Griffith	IT Technician
	Shane Skinner	Police Chief
	Charlie Garcia	Police Officer
	Dari Lynn Wood	Citizen

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**

0:00:03 Invocation – Pledge of Allegiance

0:00:49 **1. APPROVAL OF AGENDA**

0:00:50 **Motion**

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

0:00:54 **Vote**

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

0:01:17 **2. ROUTINE AND REGULAR BUSINESS**

- A. Minutes of the Regular City Council Meeting held on February 9, 2021
- B. City Personnel Report
- C. Contracts and Agreements
 - 1) Consider Approval of extension of Memorandum of Understanding between the City of Carlsbad, Eddy County Sheriff's Office, and Carlsbad Municipal Schools for School Resource Officers
- D. Monthly Reports
 - 1) Community Development Department January 2021
 - 2) Municipal Services Department January 2021
 - 3) Utilities Department January 2021
- E. Set the Date: April 13, 2021
 - 1) Ordinance rezoning part of "C-2" Commercial 2 District to "R-2" Residential 2 District for an approximately 0.51 acre property located at 2510 San Jose Boulevard
 - 2) Ordinance to apply zoning District "R-1" Residential 1 District for an approximately 0.23 acre property located at 400 Kircher Street
 - 3) Ordinance rezoning part of "R-1" Residential 1 District to "C-2" Commercial 2 District for an approximately 0.809 acre property located at 109 Old Cavern Highway
 - 4) Ordinance annexing a portion of land containing +/- 2.6 acres more or less, including +/-1.5 acres of real property and +/- 1.1 acres of street right of way, contiguous to the City of Carlsbad located at the Northeast corner of the intersection of North Canal and Peach Lane
 - 5) Ordinance applying "R-1" Residential 1 District zoning to an approximately 1.5 acre property located at the Northeast corner of North Canal Street and Peach Lane

0:01:38 **Mayor Janway asked Chief Skinner to discuss C.1 Consider Approval of extension of Memorandum of Understanding between the City of Carlsbad, Eddy County Sheriff's Office, and Carlsbad Municipal Schools for School Resource Officers**

Chief Skinner explained this has been an agreement since 2016 with the Carlsbad Municipal Schools and the Eddy County Sheriff's Office. He said it is a good investment in the school system and will help the community. He said he would like to recommend to Council to approve the extension of the agreement.

Mayor Janway asked if there were any questions or comments. There were none.

0:03:57 **Motion**

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

0:04:01 **Vote**

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

0:04:28 **3. CONSIDER APPROVAL OF RESOLUTION 2021-08, A RESOLUTION REQUIRING THE REMOVAL OF RUINS, RUBBISH, WRECKAGE, DEBRIS AND/OR WEEDS AT 301 MOORE OWNER: DARI LYNN WOOD**

Mrs. Madrid-Boyea said this seems to be a single family home that has been abandoned, no one is living on the property. She said the Eddy County Assessor's Office has Dari-Lynn Wood listed as the owner and her address is listed as 301 Moore Dr. She said Code Enforcement has been made aware of the property and left cards and correspondence at the property trying to communicate with the registered owner and have been unsuccessful. She said Code Enforcement has re-inspected the property and updated photographs have been handed out. She said Ms. Wood is present to answer any questions.

Councilor Walterscheid asked how long this been going on, **Mrs. Madrid-Boyea** answered since the fall of 2020, not an exceedingly long time. **Councilor Walterscheid** asked if Ms. Wood has responded at all, **Mrs. Madrid-Boyea** stated she is present now to address the Council.

Ms. Dari-Lynn Wood said she was not notified until February 8, 2021. **Ms. Wood** asked the Council for a 30-day extension to get the property cleaned up. **Councilor Walterscheid** asked Ms. Wood if she just moved to Carlsbad. **Ms. Wood** explained she inherited the property, and has 6 cases of break-ins. **Ms. Wood** stated she has had an ongoing problem of break-ins, she said she fixes one way they are getting in and they find another.

Councilor Walterscheid asked if 30 days would be enough time to clean up the property and if she was planning on living there. **Ms. Wood** said her son and a friend would be living in the house. **Ms Wood** explained she will continue to clean up the outside of the property and will fix the inside as she has the money to do so.

Councilor Carter said once the Resolution is passed and advertised she has 30 days to get the property cleaned up. **Councilor Rodriguez** explained if the property is not rendered safe in 30 days the City will hire a contractor to clean the property and a lien would be placed on the property. He explained the Resolution process to Ms. Wood. He stated if the property was rendered safe within 30 days the Resolution would not be needed.

Ms. Wood asked what the rules for storing firewood are. **Mr. Patterson** said there are no rules regarding firewood, other than keeping the firewood a safe distance from any structures that could burn. He said there are no specific rules for keeping firewood at

your property. He explained as long as the fire department or code enforcement doesn't see a problem with it being a fire hazard.

Councilor Anaya-Flores said she feels the trees and bushes are a fire hazard and asked if 30 days would be sufficient time for the tree trimming to be complete. **Mr. Patterson** asked Ms. Wood how soon she could get the trees trimmed. **Ms. Wood** said her son would be trimming the trees and bushes and that they are trying to get the equipment to do the work.

0:17:19 Motion

The motion was made by Councilor Carter and seconded by Councilor Rodriguez to approve Resolution 2021-08, a Resolution requiring the removal of ruins, rubbish, wreckage, debris and/or weeds at 301 Moore Owner: Dari Lynn Wood

0:17:22 Vote

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

0:17:51 4. COUNCIL COMMITTEE REPORTS

There were no reports

0:18:01 Mayor Janway asked if anyone in the audience would like to address the Council. No one appeared

0:18:10 5. ADJOURN

0:18:11 Motion

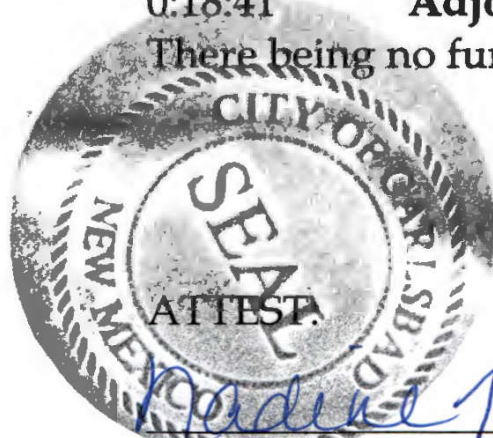
The motion was made by Councilor Anaya-Flores and seconded by Councilor Waters to Adjourn

0:18:16 Vote

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

0:18:41 Adjourn

There being no further business, the meeting was adjourned at 6:20 p.m.



Nadine Mireles, City Clerk


Dale Janway, Mayor