

**LINKED MINUTES OF A SPECIAL MEETING OF THE CITY COUNCIL OF THE
CITY OF CARLSBAD, NEW MEXICO, HELD IN THE JANELL WHITLOCK
MUNICIPAL COMPLEX BUILDING ON AUGUST 31, 2023 AT 4:00 P.M.**

Present:	Dale Janway	Mayor
	Lisa A. Anaya Flores	Councilor
	Edward T. Rodriguez	Councilor
	Jason O. Chavez	Councilor
	Wesley A. Carter	Councilor
	Mark C. Walterscheid	Councilor
	Jeff Forrest	Councilor
	Karla Niemeier	Councilor
	Judith E. Waters	Councilor

Absent:

Also Present:	John Lowe	City Administrator
	K.C. Cass	Deputy City Administrator
	Ted Cordova	Deputy City Administrator
	Wendy Austin	Deputy City Administrator
	Denise Madrid-Boyea	City Attorney
	Nadine Mireles	City Clerk
	Mike Abell	Director of Utilities
	Wayne Hatfield	IT Director
	Allan Henriksen	IT Technician
	Melissa Salcido	Finance Director
	Ken Ahrens	Fire Chief
	Jeff Patterson	Planning Director
	Trysha Ortiz	Deputy Planning Director
	Shane Skinner	Police Chief
	Patrick Cass	Public Works Director
	Therese Rodriguez	Citizen
	Zach Walterscheid	Citizen
	Lisa Walterscheid	Citizen
	Daniel Banks	Citizen
	Leilani Buxton	Citizen
	Sylvia Trujillo	Citizen
	Beatrice Matta	Citizen
	Derek Apodaca	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**

0:00:08 Invocation - Pledge of Allegiance

0:00:35 **1. APPROVAL OF AGENDA**

0:00:37 **MOTION**

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

0:00:41 **VOTE**

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

0:00:53 **2. ROUTINE AND REGULAR BUSINESS**

A. Consider Approval of 60 day extension to the Agreement between the City of Carlsbad and Orlando Garza dba Guadalupe Pest Control, LLC for Grounds Maintenance and Grave opening and closing services at Carlsbad Cemeteries

Mayor Janway asked Mrs. Madrid-Boyea to briefly discuss Agenda item 2A, Consider Approval of 60 day extension to the Agreement between the City of Carlsbad and Orlando Garza dba Guadalupe Pest Control, LLC for Grounds Maintenance and Grave opening and closing services at Carlsbad Cemeteries.

Mrs. Madrid-Boyea said this is a request to consider extending an agreement regarding the cemetery maintenance and grave opening and closing services at the Carlsbad Cemeteries because of a protest that was filed by one of the respondents to a recent RFP. She said the City of Carlsbad is requesting an extension to be able to respond to the protest that has been filed.

Mayor Janway asked if there were any questions or comments for Mrs. Madrid-Boyea. Councilor Forrest asked if Mr. Garza's company currently has the contract and if this is an extension to that. Mrs. Madrid-Boyea said yes.

0:02:13 **MOTION**

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

0:02:20 **VOTE**

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

0:02:43 **3. CONSIDER APPROVAL OF RESOLUTION 2023-43, A RESOLUTION REQUIRING THE REMOVAL OF THE RUINED, DAMAGED OR DILAPIDATED BUILDINGS OR STRUCTURES, RUINS, RUBBISH, WRECKAGE AND DEBRIS AT 507 S ELM STREET OWNER: JESUS NAME TABERNACLE INC**

Mrs. Madrid-Boyea said the structure is unsecured and consists of bare wood framing with evidence of termites. She said the property has not been maintained for years and the building continues to degrade. She said a Notice of Violation was mailed to the owner on July 31, 2023. Mrs. Madrid-Boyea said the property has been inspected by Code Enforcement, the Building Inspector, and the Fire Chief, and they found that the property remains out of compliance with applicable codes. She said the ruined or dilapidated structure remains on the property and the property remains unsecured. She said the Fire Chief found that the property presents an extreme fire hazard for responding firefighters and emergency personnel and recommends that the buildings be demolished, the property be cleaned, and the debris be removed.

0:05:03 **MOTION**

The motion was made by Councilor Forrest and seconded by Councilor Niemeier to approve of Resolution 2023-43, a Resolution requiring the removal of the ruined, damaged or dilapidated buildings or structures, ruins, rubbish, wreckage and debris at 507 S Elm Street Owner: Jesus Name Tabernacle Inc.

0:05:11 **VOTE**

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

0:05:25 **4. CONSIDER APPROVAL OF RESOLUTION 2023-44, A RESOLUTION REQUIRING THE REMOVAL OF THE RUINS, RUBBISH, WRECKAGE, DEBRIS OR WEEDS AT 205 S MESQUITE OWNER: DYLAN JOE MAGBY**

Mrs. Madrid-Boyea said this property is located at 205 S Mesquite Street in a residential neighborhood. She said there appears to be a vacant residence on the property and a large number of overgrown weeds, junk, debris, and an inoperable vehicle, as well as weeds in the alley. She said the Eddy County Assessor's Office lists Dylan Joe Magby as owning or having an interest in the property. She said a Notice of Violation was mailed to the owner on September 12, 2022. Mrs. Madrid-Boyea said the property was inspected by Code Enforcement, the Building Inspector, and the Fire Chief, and they found that the property remains out of compliance. She said the Fire Chief found that the property presents an extreme fire hazard for responding firefighters and emergency personnel and recommends that the property be cleaned, and the weeds, trash, and debris be removed.

0:07:21 **MOTION**

The motion was made by Councilor Carter and seconded by Councilor Niemeier to approve of Resolution 2023-44, a Resolution requiring the removal of the ruins, rubbish, wreckage, debris or weeds at 205 S Mesquite Owner: Dylan Joe Magby.

0:07:27 **VOTE**

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

0:07:40 **5. CONSIDER APPROVAL OF RESOLUTION 2023-45, A RESOLUTION REQUIRING THE REMOVAL OF THE RUINED, DAMAGED OR DILAPIDATED BUILDINGS OR STRUCTURES, RUINS, RUBBISH, WRECKAGE, AND DEBRIS AT 209 W PECAN ST OWNER: CAROLYN L. BANKS**

Mrs. Madrid-Boyea said this property is located at 209 W Pecan Street in a residential neighborhood. She said there appears to be dilapidated structures on the property and a large amount of rubbish, debris, an inoperable vehicle, and weeds. She said the Eddy County Assessor's Office lists Carolyn Banks as owning or having an interest in the property. She said the property appears to be vacant and unsecured. She said Code Enforcement has been to the property and the primary structure was red-tagged by the Building Department for illegal electrical hook-up. She said the owner requested a zone change in March of 2023 and the Planning and Zoning Commission voted to table to the request until the property complies with applicable codes. **Mrs. Madrid-Boyea** said Code Enforcement and the Building Inspector met with the owner on March 10, 2023 to discuss actions needed to clear the property and the owner stated she hired someone to perform the clean-up, however, no work has been done. She said the electric and water utilities have been disconnected and the building continues to degrade. She said a Notice of Violation was mailed to the owner on December 3, 2021, a verbal warning was issued March 6, 2023, and an email was sent to the owner on June 16, 2023. **Mrs. Madrid-Boyea** said the property was inspected by Code Enforcement, the Building Inspector, and the Fire Chief, and they found that the property remains out of compliance with applicable codes. She said the Fire Chief found that the property presents an extreme fire hazard for responding firefighters and emergency personnel and recommends that the buildings be demolished, the property be cleaned, and the debris be removed.

Daniel Banks said the updated pictures are not accurate to what the property looks like today. **Mr. Banks** said the inside of the structure is almost completely cleaned out. He said he attended the Planning and Zoning Committee meeting in March 2023, hoping to have the property rezoned to commercial. He said he has been trying to get this property in a position to where it is not a nuisance. **Mr. Banks** said there are two lots. He said one lot has no residential structure, improvements, electricity or water. He said this property is adjacent to the property at 209 Pecan Street. He said the proposed Resolution states for both lots to be cleaned and he thinks it is unnecessary. **Mr. Banks** said he and his family are working on it as fast as they can and he would like more

time. He said the lot is almost clean and they are still working on the inside of the house. He said he cannot tear the house down because he is waiting for the report from the asbestos inspection.

Councilor Walterscheid asked how long would it take for him to clean the property. **Mr. Banks** said he is working his hardest to make sure he can complete the clean-up in thirty days. He said the weather is a factor on how fast they can complete it.

Mrs. Madrid-Boyea said the proposed Resolution is requesting for the property to be cleaned and leveled. **Mr. Banks** said he would like to build a commercial building on the property eventually.

Councilor Niemeier said if this Resolution passes, the property owners have thirty days. She asked **Mr. Banks** if he wants an additional thirty days. **Mr. Banks** said he would like to complete it within thirty days.

Mrs. Madrid-Boyea said the Resolution is proposing that the property be cleaned within thirty days of when the Resolution is served. She said the Resolution will not be served right away. She said if the Resolution cannot be served, it will be published in the newspaper.

Leilani Buxton said it will take two weeks to complete the asbestos inspection. She said there has been a lot of money put into the clean-up of the property. She said she believes the clean-up will take longer than a month.

Mr. Banks said he is asking for more time. He said they are waiting on the asbestos report and the structure cannot be torn down until he receives the report.

Councilor Carter asked if Council members can revisit the proposed Resolution at the September 26, 2023 Council meeting.

Mrs. Madrid-Boyea said a motion can be made to reconsider this item at a later date.

0:24:51 **MOTION**

The motion was made by Councilor Carter and seconded by Councilor Niemeier to consider approval of Resolution 2023-45, a Resolution requiring the removal of the ruined, damaged or dilapidated buildings or structures, ruins, rubbish, wreckage, and debris at 209 W Pecan St Owner: Carolyn L. Banks at the September 26, 2023 Council meeting.

0:25:08 **VOTE**

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

0:25:25 **6. CONSIDER APPROVAL OF RESOLUTION 2023-46, A RESOLUTION REQUIRING THE REMOVAL OF THE WEEDS, DEBRIS, LIVESTOCK AND A DILAPIDATED STRUCTURE AT 902 AND 904 MALAGA AVE OWNER: NANCY E. FORNI**

Mrs. Madrid-Boyea said this property is located at 902 and 904 Malaga Ave. located in a residential neighborhood. She said there appears to be a residential structure and a shed on the property. She said there are also weeds, debris, and a goat. She said the Eddy County Assessor's Office lists Nancy Forni as owning or having an interest in the property. She said the property has a structure at 902 and 904 Malaga Ave. that appears to be occupied. She said Code Enforcement has been to the property and a Notice of Violation was mailed to the owner on May 9, 2023. She said a complaint about the property was received the same day. Mrs. Madrid-Boyea said the property was inspected by Code Enforcement and the Fire Chief, and they found that the property remains out of compliance with applicable codes. She said the person occupying the property stated he would clean the property multiple times but large piles of trash, debris, tires, lumber, and a goat. She said the property is on a 0.5-acre and City Ordinance requires at least 0.75-acre to house one goat remain on the property. She said there is debris along the west fence line, old campers in the back, and an old shed that has ruined and dilapidated. She said the Fire Chief found that the property presents an extreme fire hazard for responding firefighters and emergency personnel.

Councilor Walterscheid said we have never dealt with livestock before so what would happen to the goat. Mrs. Madrid-Boyea said the goat is not allowed to be on that small of a plot of land so it needs to be removed. She said if the Resolution is adopted, animal control may be involved. Councilor Walterscheid asked if goats are allowed in City limits. Mrs. Madrid-Boyea said yes, on a 0.75-acre piece of property.

0:28:32 **MOTION**

The motion was made by Councilor Rodriguez and seconded by Councilor Waters to approve of Resolution 2023-46, a Resolution requiring the removal of the weeds, debris, livestock and a dilapidated structure at 902 and 904 Malaga Ave Owner: Nancy E. Forni.

0:28:38 **VOTE**

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

0:28:54 **7. CONSIDER APPROVAL OF RESOLUTION 2023-47, A RESOLUTION REQUIRING THE REMOVAL OF THE RUINS, RUBBISH, WRECKAGE, DEBRIS, NON-OPERABLE VEHICLES AND OCCUPIED RECREATIONAL VEHICLE AT 106 FARRIS ST OWNER: SYLVIA A. TRUJILLO**

Mrs. Madrid-Boyea said this Resolution involves property located at 106 Farris Street in a residential neighborhood. She said there appears to be an occupied structure on the property and a large amount of junk, tires, trash, debris, an occupied recreational

vehicle, as well as non-running vehicles on the property. She said the Eddy County Assessor's Office lists Sylvia Trujillo as owning or having an interest in the property. She said Code Enforcement has been to the property and a Notice of Violation was mailed to the owner on March 6, 2023, which was returned, and again on May 25, 2023 which was signed by the owner. **Mrs. Madrid-Boyea** said the property was inspected by Code Enforcement and the Fire Chief, and they found that the property remains out of compliance. She said the Fire Chief found that the property presents an extreme fire hazard for responding firefighters and emergency personnel and recommends that the property be cleaned, and the weeds, trash, inoperable vehicles, and debris be removed. **Mrs. Madrid-Boyea** said a Resolution has been prepared for Council consideration. She said on August 18, 2023, she received a phone call from an individual stating her mother is the owner of the property. She said the individual acknowledged that the property needs to be cleaned and that a family member is living there and is supposed to be cleaning it. She said the individual indicated that no one is living in the RV and it has been moved to the back of the property.

Sylvia Trujillo said the property has been in worse condition. She said when she received the first letter, she removed all of the vehicles from the property. She said the truck that is on the property has been there since 2006 and it is her late husband's vehicle. She said this truck has never been an issue in the past. **Ms. Trujillo** said she has tried to get help with moving things from the property but has had no luck. She said she has cleaned a lot of the property and it is nowhere near to what it was. She said they are working on it and she is unsure of how long it is going to take. She said she does not know where to go for help with moving the vehicles. She said she is disabled and her children live out of town so they work on it when they are able to.

Councilor Chavez asked **Mrs. Madrid-Boyea** if there is currently someone living on the property. **Mrs. Madrid-Boyea** said she believes the son of the owner and his wife live on the property.

Councilor Niemeier said the proposed Resolution is for the trash and the vehicles. She said the trash does not require someone hauling a vehicle off. She said if they picked up the trash and junk, it would be a significant improvement.

Mrs. Madrid-Boyea said the proposed Resolution is for the ruins, rubbish, debris and non-operable vehicles to be removed. **Councilor Niemeier** asked if the house is a part of the Resolution. **Mrs. Madrid-Boyea** said no. **Councilor Niemeier** asked what is the original date of the request to the owner to clean the property. **Mrs. Madrid-Boyea** said a letter was mailed on March 26, 2023 but it was returned and another letter was sent on May 25, 2023.

Councilor Forrest said he sympathizes with **Ms. Trujillo** and it seems like she is trying to get this done.

0:39:43 **MOTION**

The motion was made by Councilor Forrest and seconded by Councilor Walterscheid to consider approval of Resolution 2023-47, a Resolution requiring the removal of the ruins, rubbish, wreckage, debris, non-operable vehicles and occupied recreational vehicle at 106 Farris St Owner: Sylvia A. Trujillo at the September 26, 2023 Council meeting.

0:39:58 **VOTE**

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

Mayor Janway asked Mrs. Madrid-Boyea to explain to Ms. Trujillo what Council members voted on. Mrs. Madrid-Boyea said this matter will come back before City Council at the September 26, 2023 meeting for Council members to decide whether to pass the Resolution at that time. She said it is giving Ms. Trujillo an extra thirty days before it comes back to Council.

0:41:04 **8. CONSIDER APPROVAL OF RESOLUTION 2023-48, A RESOLUTION REQUIRING THE REMOVAL OF THE WEEDS AT 706 ELGIN ROAD OWNER: ARTURO AND HORTENCIA MATTA**

Mrs. Madrid-Boyea said this Resolution involves property located at 706 Elgin Road in a residential neighborhood. She said there appears to be an occupied structure on the property and some weeds. She said the Eddy County Assessor's Office lists Arturo Matta and Hortencia Matta as owning or having an interest in the property. She said Code Enforcement has been to the property and has contacted the owner's daughter, who lives on the property along with her family. She said a Notice of Violation was mailed to the property of record on March 13, 2023. She said the property has been cleaned except for excessive weeds in the back. Mrs. Madrid-Boyea said the property was inspected by Code Enforcement and the Fire Chief, and they found that the property remains out of compliance with applicable codes. She said the Fire Chief found that the property presents an extreme fire hazard for responding firefighters and emergency personnel and recommends that the property be cleaned and the weeds be removed.

Beatrice Matta said she is cleaning the property but it is taking time. She said she has two jobs and the owners of the property are not in good health. She said she has little to no help and she is getting it done as fast as she can.

Councilor Walterscheid told Ms. Matta the City of Carlsbad has grappler trucks. He said it does not seem like there is a lot of weeds to remove from her property. Ms. Matta said her husband has cleaned a lot of the property. Councilor Walterscheid asked if thirty days is long enough for her to complete the clean-up. Ms. Matta said yes.

0:46:45 **MOTION**

The motion was made by Councilor Walterscheid and seconded by Councilor Anaya-Flores to approve of Resolution 2023-48, a Resolution requiring the removal of the weeds at 706 Elgin Road Owner: Arturo and Hortencia Matta.

0:47:25 **VOTE**

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

0:47:39 **9. CONSIDER APPROVAL OF RESOLUTION 2023-49, A RESOLUTION REQUIRING THE REMOVAL OF THE WEEDS, DEAD TREES AND DEBRIS AT 1413 W MERMOD/106 S CYPRESS OWNER: DEREK APODACA**

Mrs. Madrid-Boyea said this Resolution involves property located at 1413 West Mermod/106 South Cypress in a residential neighborhood. She said there is an unsecured structure and there appears to be a detached garage and a large number of overgrown weeds on the property and in the alley, and dead trees. She said the Eddy County Assessor's Office lists Derek Apodaca as owning or having an interest in the property. She said Code Enforcement has been to the property and has not contacted the owner: She said a Notice of Violation was mailed to the owner on October 21, 2022. She said according to the Fire Chief's report, the detached garage should be secured or demolished. **Mrs. Madrid-Boyea** said the property was inspected by Code Enforcement and the Fire Chief, and they found that the property remains out of compliance with applicable codes. She said the Fire Chief found that the property presents an extreme fire hazard for responding firefighters and emergency personnel and recommends that the property be cleaned and the weeds, debris, and dead trees be removed and the garage be secured.

Derek Apodaca said he understands everything that needs to be done on the property. He said he will be able to have everything completed within thirty days except the leveling of the property. He said he would like an extension for the leveling specifically.

Councilor Anaya-Flores asked if he can get everything else taken care of. **Mr. Apodaca** said yes, he can remove the weeds and trees and secure the garage within thirty days.

Councilor Walterscheid asked if he can get it all complete within thirty days. **Mr. Apodaca** said he is unsure if he can level the property within thirty days.

Councilor Anaya-Flores asked what does he plan to do with the detached garage. **Mr. Apodaca** said he is going to secure it.

Councilor Rodriguez asked if the structural integrity of the detached garage is sufficient enough to secure it. **Mrs. Madrid-Boyea** said she does not have a Building

Inspector report that indicates there is any structural issues. She said the Fire Chief has recommended that it be secured or demolished.

0:53:09 **MOTION**

The motion was made by Councilor Walterscheid and seconded by Councilor Anaya-Flores to approve of Resolution 2023-49, a Resolution requiring the removal of the weeds, dead trees and debris at 1413 W Mermod/106 S Cypress Owner: Derek Apodaca.

0:53:21 **VOTE**

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

0:53:41 **10. CONSIDER APPROVAL OF RESOLUTION 2023-50, A RESOLUTION REQUIRING THE REMOVAL OF THE TRASH, DEBRIS AND WEEDS AT 911 N RICHARD ST AND TO SECURE THE STRUCTURE OWNER: PLEASANT CARL WATSON C/O CARLA WALES**

Mrs. Madrid-Boyea said this Resolution involves property located at 911 N Richard Street in a residential neighborhood. She said there appears to be a residential structure on the property and some trash, debris, and weeds. She said the Eddy County Assessor's Office lists Pleasant Carl Watson as owning or having an interest in the property. She said Code Enforcement has been to the property and has contacted the person who claims to be the caretaker of the property. She said this individual was informed by Code Enforcement that if the property was not occupied, it should be boarded up and secured. She said no action was taken to secure the structure. Mrs. Madrid-Boyea said the neighbors have been taking care of the front yard but trash and weeds remain on the rest of the property. She said a Notice of Violation was mailed to the owner on August 14, 2023. Mrs. Madrid-Boyea said the property was inspected by Code Enforcement and the Fire Chief, and they found that the property remains out of compliance with applicable codes. She said the Fire Chief found that the property presents an extreme fire hazard for responding firefighters and emergency personnel and recommends that the property be cleaned, the structure be demolished or secured, and the weeds be removed.

0:56:20 **MOTION**

The motion was made by Councilor Forrest and seconded by Councilor Chavez to approve of Resolution 2023-50, a Resolution requiring the removal of the trash, debris and weeds at 911 N Richard St and to secure the structure Owner: Pleasant Carl Watson c/o Carla Wales.

0:56:26 **VOTE**

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

0:56:42 **11. CONSIDER APPROVAL OF RESOLUTION 2023-51, A RESOLUTION REQUIRING THE REMOVAL OF THE TRASH, DEBRIS AND WEEDS AT 607 WELSHIRE ST AND TO SECURE THE STRUCTURE OWNER: ROGELIO BALDERRAMA**

Mrs. Madrid-Boyea said this Resolution involves property located at 607 Welshire Street in a residential neighborhood. She said there appears to be a residential structure on the property and trash, debris, and weeds. She said the Eddy County Assessor's Office lists Rogelio Balderrama as owning or having an interest in the property. She said Code Enforcement has been to the property, the structure is abandoned and unsecured and there are weeds, trash and debris throughout the property. She said a Notice of Violation was mailed to the owner on October 5, 2021 and the owner signed the receipt. She said a second Notice of Violation was mailed on April 13, 2023 with no response. Mrs. Madrid-Boyea said the property was inspected by Code Enforcement and the Fire Chief, and they found that the property remains out of compliance with applicable codes. She said the Fire Chief recommends that the property be cleaned, the structure be demolished or secured, and the weeds be removed.

0:58:50 **MOTION**

The motion was made by Councilor Anaya-Flores and seconded by Councilor Niemeier to approve of Resolution 2023-51, a Resolution requiring the removal of the trash, debris and weeds at 607 Welshire St and to secure the structure Owner: Rogelio Balderrama.

0:58:56 **VOTE**

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

0:59:11 **12. CONSIDER APPROVAL OF RESOLUTION 2023-52, A RESOLUTION REQUIRING THE REMOVAL OF THE TRASH, DEBRIS AND WEEDS AT 1005 N MESA OWNER: ROY WILKINSON**

Mrs. Madrid-Boyea said this Resolution involves property located at 1005 N Mesa Street in a residential neighborhood. She said there appears to be a residential structure on the property and some trash, debris, and weeds. She said the Eddy County Assessor's Office lists Roy Wilkinson as owning or having an interest in the property. She said the structure is occupied and secured and there are weeds trash and debris throughout the property. She said there are complaints of trash and debris in the alley. She said a Notice of Violation was mailed to the owner on February 28, 2023 with no response and a second Notice of Violation was mailed on July 17, 2023 which was unclaimed. Mrs. Madrid-Boyea said the property was inspected by Code Enforcement and the Fire Chief, and they found that the property remains out of compliance. She said the Fire Chief found that the property presents an extreme fire hazard for responding firefighters and emergency personnel and recommends that all trash and debris be removed from the property.

1:01:23 **MOTION**

The motion was made by Councilor Chavez and seconded by Councilor Walterscheid to approve of Resolution 2023-52, a Resolution requiring the removal of the trash, debris and weeds at 1005 N Mesa Owner: Roy Wilkinson.

1:01:29 **VOTE**

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

1:01:44 **13. ADJOURN**

1:01:45 **MOTION**

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

1:01:51 **VOTE**

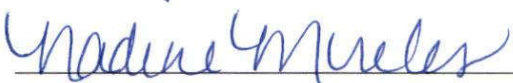
The vote was as follows: Yes - Carter, Rodriguez, Forrest, Niemeier, Walterscheid, Anaya-Flores, Chavez, Waters; No - None; Absent - None; the motion carried.

1:02:03 **Adjourn**

There being no further business, the meeting was adjourned at 5:02 p.m.




Dale Janway, Mayor


Nadine Mireles, City Clerk