

Roswell City Council
Chaves County Administrative Center
Commission Chambers - #1 St. Mary's Place
Thursday, January 9, 2025 at 6:00 p.m.

Notice of this meeting was given to the public in compliance with Sections 10-15-1 through 10-15-4 NMSA 1978 and Resolution 24-23.

The meeting reconvened at 6:00 p.m. with Mayor Jennings presiding:

ROLL CALL:

Councilor Johnson	Present
Councilor Halvorson	Present
Councilor Arnold	Present
Councilor Moore	Present
Councilor Heldenbrand	Present
Councilor Cavin	Present
Councilor Oropesa	Present
Councilor Corn	Present
Councilor Marrujo, Jr.	Present

Councilor Marrujo led in prayer and Councilor Moore led in the Pledge of Allegiance.

APPROVAL OF THE AGENDA

1. Approval of agenda - approve the agenda for the January 9, 2025, Regular City Council Meeting.

MOTION: Councilor Heldenbrand made a motion to approve the agenda for the January 9, 2025, Regular City Council Meeting with the following changes:

- Pull Item # 3 Ratification of Award to Stantec off the consent agenda and place it after Item 8 which is the Constituent Service Presentation.
- Move the following items to the consent agenda:
 - # 11 – College Investments located at 414 East College Ave. to enter into a one-year lease agreement and;
 - # 13 – The appointment to the Roswell Museum Board of Trustees for Katie Huebner – Position 8 (Partial 1st term January 9, 2025 – March 31, 2025)

Councilor Halvorson was the second.

FOR THE RECORD: After discussion by Councilor Corn. Councilor Heldenbrand changed his amendment to reflect that Item 3 be sent back to the Finance Committee. All member of the council were in agreement.

AMENDED MOTION: Councilor Heldenbrand made a motion to approve the agenda for the January 9, 2025, Regular City Council Meeting with the following change:

- 1
2 • Pull Item # 3 Ratification of Award to Stantec off the consent agenda and refer it back to
3 the Finance Committee with the other items as amended previously.

4
5 Councilor Halvorson was the second.

6
7 **VOICE VOTE ON AMENDMENT:** was unanimous 9-0

8
9 **ROLL CALL VOTE AS AMENDED:**

Councilor Johnson	Yes
Councilor Halvorson	Yes
Councilor Arnold	Yes
Councilor Moore	Yes
Councilor Heldenbrand	Yes
Councilor Cavin	Yes
Councilor Oropesa	Yes
Councilor Corn	Yes
Councilor Marrujo, Jr.	Yes

10 **Motion passed:** 9-0.

11
12 **APPROVAL OF THE CONSENT AGENDA**

13 2. Approval of consent agenda - approve the consent agenda for the January 9, 2025, Regular City
14 Council Meeting.

15
16 **MOTION:** Councilor Heldenbrand made a motion to approve the consent agenda as amended for
17 the January 9, 2025. Councilor Cavin was the second.

18
19 **ROLL CALL:**

Councilor Johnson	Yes
Councilor Halvorson	Yes
Councilor Arnold	Yes
Councilor Moore	Yes
Councilor Heldenbrand	Yes
Councilor Cavin	Yes
Councilor Oropesa	Yes
Councilor Corn	Yes
Councilor Marrujo, Jr.	Yes

20 **Motion passed:** 9-0

21
22 **CONSENT ITEMS** *(items 4-6 were approved at the time of the approval of the consent agenda)*

23
24 3. Authorization for ratification of award of Roswell Substantial Damage Assessments Project to
25 Stantec in the amount of \$133,154.18 which includes GRT. Items was referred to the Finance
26 Committee at the approval of the Agenda.

27
28 **Resolution(s)**

1 4. Resolution 25-01: Weeds - the adoption of Resolution 25-01: the Resolution shall mandate the
2 cleanup of approximately three (3) separate properties within the City.

3
4 5. Resolution 25-02: adoption of Resolution 25-02 approving budget adjustment for the fiscal year
5 ending June 30, 2025.

6
7 **Minutes**

8
9 6. Approval of the minutes from the Regular City Council Meeting on December 12, 2024.

10
11 **NON-ACTION ITEMS (Information)**

12
13 7. Airport Updates (Bobbi Thompson)

14
15 8. Constituent Services Presentation (Constance Williams)

16
17 **PUBLIC PARTICIPATION**

18 In order to speak you must sign up prior to the Council Meeting.

19
20 James Edwards – Martin Luther King event on January 20, 2025

21 Fred Telling – NCAR

22
23 **PUBLIC HEARING(S)**

24
25 9. Hold a public hearing and vote on Zoning Case 24-017 CANN (Cannabis) entailing a request
26 to approve a Variance to R-S Rural Suburban residential distance requirements, Zone Change to
27 floating zone CCAN (Commercial Cannabis), and Conditional Use Permit to operate an adult-use
28 retail cannabis establishment in the C-2 Community Commercial Zoning District at 3606 N Main
29 Street, Suite 500.

30
31 **BACKGROUND:** On December 17, 2024, the Planning & Zoning Commission made a motion
32 and voted 5-0 to recommend approval of Zoning Case 24-017 CANN to City Council

33
34 **MOTION:** Councilor Heldenbrand made a motion to hold a public hearing on Zoning Case 24-
35 017 CANN (Cannabis)

36
37 **Mayor Jennings:** we have a motion by Councilman Hildebrand we have a second

38
39 **Councilor Johnson:** Second

40
41 **Mayor Jennings:** we have a second by counselor Johnson

42
43 **Meredith Hildreth:** Good evening mayor Jennings members of the council we have Z case 24-17
44 can the Cannabis case before you this is a request for approval of a variance a zone change
45 to the cam floating Zone and a conditional use permit to operate an adult use retail cannabis
46 establishment located at 3606 North Main Street s 500 in the C2 Community commercial

1 sing District. The variance is request is to the adjacent RS rule Suburban uh residential
2 zoning District distance requirements the property under consideration is adjacent to a
3 vacant RS zoning District there's a zone change to the floating Zone the C can the
4 commercial cannabis Zone as well as a conditional use permit with condition of approval
5 in appendix F of your packet and this will the tenant Bas is in Starlight plaza it's a new
6 retail plaza development right there next to Silva Law this is the staff photo of the new
7 building and the Tenant space will be in the far Northern tenant space there as you can see
8 the property is in the commercial Corridor Zone C2 and the conference of plan master plan
9 future land scenario shows it in the commercial Corridor there's I've only had telephone
10 inquiry that was based on the article published in the newspaper uh zero oral protests and
11 zero written protests on December 17th 2024 the Planning and Zoning commission did
12 recommend approval of this case in voted 5-0 and based on all that we ask you to hold a
13 public hearing and vote we do have Mr. Caleb Cortez in the audience to speak on behalf
14 of Gnomad Cannabis Mr. Cortez is the operation manager for Gnomad Canna Co I stand
15 for questions
16

17 **Mayor Jennings:** okay Mr. Cortez would you care to speak
18

19 **City Clerk:** will you raise your right hand do you solemnly swear that the testimony you're about
20 to give is the truth the whole truth and nothing but the truth
21

22 **Caleb Cortez:** I do - good evening Mr. Mayor and council members my name is Caleb Cortez
23 and I'm the operations manager for Gnomad Canna Co I've been with them for three years
24 since before we received our first license for our Tatum facility since then we've grown the
25 brand to three retail locations two manufacturing facilities um one grow and one
26 consumption Lounge we currently have retail locations in Hobbs, Tatum and Ruidoso this
27 location here in Roswell will be our fourth retail location and it will only be a retail location
28 there will be no on-site consumption in each City we have a team member on city council
29 or Chamber of Commerce that attend every meeting and event we also participate in any
30 and every Community event food drive toy drive and any charitable event that we're
31 allowed to be part of and we plan to do the same thing here in Roswell and to be an involved
32 and valued member of the community the building that we plan on going into is owned by
33 Nadeem Kassis who also owns our Hobbs location at 3501 North Grimes we've been doing
34 business with Mr. Kassis for some time now and plan to continue doing so he also owns
35 the Kass Plaza here in town at 2303 North Main Street which is where Dreams Dispensary
36 is located so the layout and compliance should be similar to that location um and to close
37 out I just want to thank each and every one of you for your time and taking the time to
38 review this case um and I stand for questioning
39

40 **Councilor Halvorson:** so first off I live in that neighborhood and imagine my surprise when I
41 drive down the street and I see your sign up and then I called our City attorney and I said
42 did we approve this and no so you were being presumptuous you disregarded our due
43 process we did not approve anything and you didn't even wait for any kind of public hearing
44 so to put the signs well before we you just assumed and took us for granted that we would
45 approve this and I have a real problem with that
46

1 **Caleb Cortez:** yes, but we apologize that we were unaware that the signs were going to cause
2 conflict like that and it was against um your guys' policy and we did have the sign taken
3 down and uh we to abide by any ordinance that you guys have
4

5 **Councilor Halvorson:** well, I don't I'm not saying I don't think you broke any policy by putting
6 them up you just assumed we were going to prove this and you went ahead and put the
7 signs up before we even discussed any of this, I think you put them up before even went to
8 P&Z
9

10 **Caleb Cortez:** uh well and we've been waiting on this location for close to two years now we've
11 been talking with n since before he broke ground on that location and so we've had the
12 signs in play since over a year ago and um we didn't mean to come off anyway by it by
13 putting them up uh we just know in every other City we followed compliance and
14 everything has went smooth for us and so we plan to do the same thing and do good
15 business here the same way we have in other cities and um we did get them taken down
16 and they're sitting I don't know where they're at right now but the company took them back
17 and we're going to have to pay to have them come back out and U put them back up and
18 we've actually paid more having them take them down and put them up then the actual
19 signs themselves cost
20

21 **Councilor Halvorson:** okay
22

23 **Mayor Jennings:** do we have further comments Council lady Moore
24

25 **Councilor Moore:** I do have a question you do not plan to make it a in consumption on site or
26 make it a lounge like you have that's not your plan that's not the plan that you know of
27

28 **Caleb Cortez:** no ma'am it's not it's going to be a retail location and that will never change
29

30 **Councilor Moore:** okay that's my question no other question
31

32 **Mayor Jennings:** any further questions okay no comments if the we have a motion well we better
33 have a motion first so we had a motion that's right so we have a second by councilman
34 Johnson okay the clerk would we've had a public hearing thank you can sit down if and if
35 the is there anyone for this facility on the 3606 North Main Street 500 is there anybody in
36 favor of is there anybody opposed to it in the audience anybody wants to speak okay all
37 right okay we're seeing no further questions from the council if the clerk would call the
38 roll.
39

40 **IN FAVOR:** Caleb Cortez

41 **OPPOSED:** none
42

43 **ROLL CALL:**

Councilor Johnson	Yes
Councilor Halvorson	No
Councilor Arnold	Yes

Councilor Moore	No
Councilor Heldenbrand	Yes
Councilor Cavin	Yes
Councilor Oropesa	Yes
Councilor Corn	Yes
Councilor Marrujo, Jr.	No

Motion passed: 6-3 with Councilors Halvorson, Moore, and Marrujo voting no

10. Ordinance 24-23: Hold a public hearing on proposed Ordinance 24-23 for emergency loan funding from the New Mexico Environment Department for sewer repairs required after the historical flooding disaster in October 2024. James McCornack presented the item.

BACKGROUND: New Mexico Environment Department has offered City of Roswell an emergency loan to assist with funding sewer repairs that were required after the October 2024 flooding event. NMED has offered \$1,040,000 in funding that would be repaid when the city receives FEMA reimbursement for disaster expenses.

MOTION: Councilor Corn made a motion to hold a public hearing on proposed Ordinance 24-23. Councilor Marrujo was the second.

AMENDED MOTION:

Councilor Corn moved to amend the item to replace the original ordinance with the handout that was given at the meeting. Councilor Marrujo was the second.

VOICE VOTE ON AMENDMENT: was unanimous 9-0

ROLL CALL VOTE AS AMENDED:

Councilor Johnson	Yes
Councilor Halvorson	Yes
Councilor Arnold	Yes
Councilor Moore	Yes
Councilor Heldenbrand	Yes
Councilor Cavin	Yes
Councilor Oropesa	Yes
Councilor Corn	Yes
Councilor Marrujo, Jr.	Yes

Ordinance 27-23 was enacted 9-0

NEW BUSINESS / REGULAR ITEMS

11. Approval to authorize College Investments, located at 414 East College Avenue, to enter into a (1) year lease agreement beginning January 1, 2025, and ending December 31, 2025, with an automatic renewal for a second year, ending on December 31, 2026, if funding is provided by the Roswell Governing Body. Moved to the Consent Agenda at the approval of Agenda.

12. Consider approval of Mayor Jennings's nomination for the Roswell City Council Ward 3 vacancy.

BACKGROUND: Councilor Matthew Chappell resigned from the Roswell City Council, effective December 31, 2024. As per 3-12-1. Vacancy on governing body. Any vacancy on the governing body of a mayor-council municipality shall be filled by appointment of a qualified elector by the mayor of the municipality, with the advice and consent of the governing body. Any qualified elector appointed to fill a vacancy on the governing body shall serve until the next regular local election, at which time a qualified elector shall be elected to fill the remaining unexpired term, if any.

MOTION: Councilor Heldenbrand made a motion to approve the Mayor's nomination of Christopher R. Cortez to fill the vacancy in Ward 4. Councilor Cavin was the second.

ROLL CALL:

Councilor Johnson	Yes
Councilor Halvorson	Yes
Councilor Arnold	Yes
Councilor Moore	Yes
Councilor Heldenbrand	Yes
Councilor Cavin	Yes
Councilor Oropesa	Yes
Councilor Corn	Yes
Councilor Marrujo, Jr.	Yes

Motion passed 9-0

13. Approval of Mayor Jennings's appointment recommendation to the Roswell Museum Board of Trustees. Katie Huebner - Position 8 (Partial 1st Term January 9, 2025 – March 31, 2025). Moved to the Consent Agenda at the approval of Agenda.

14. Election of Mayor Pro Tem - Consider holding an election for Mayor Pro Tem

BACKGROUND: Each year the governing body has elected one of its members to serve as Mayor Pro Tem: The person elected to the office serves for a year and is responsible for handling the duties of the Mayor in the event the Mayor is unable to attend to them.

MOTION: Councilor Heldenbrand made a motion to nominate Juliana Halvorson as Mayor Pro Tem. Councilor Moore was the second. There was no other name to place in nominations.

ROLL CALL:

Councilor Johnson	Yes
Councilor Halvorson	Yes
Councilor Arnold	Yes
Councilor Moore	Yes
Councilor Heldenbrand	Yes

Councilor Cavin	Yes
Councilor Oropesa	Yes
Councilor Corn	Yes
Councilor Marrujo, Jr.	Yes

Motion passed 9-0

CITY MANAGER REPORTS/ANNOUNCEMENTS
(Information Only)

15. Administratively Executed Leases November/December 2024

ADJOURNMENT

Meeting adjourned at 7:25 p.m.

Approved on this 13th day of February 2025.

(City Seal)

Timothy Z. Jennings, Mayor

Amalia Martinez, City Clerk