



**City Council
of the
City of Las Cruces**

Special Meeting

**January 14, 2013
2:30 P.M.**

Council Chambers, City Hall

MEMBERS PRESENT:

STAFF:

- 14 Mayor Ken Miyagishima
- 15 Councillor Miguel Silva, District 1
- 16 Councillor Greg Smith, District 2
- 17 Councillor Olga Pedroza, District 3
- 18 Councillor Nathan Small, District 4
- 19 Councillor Gill Sorg, District 5
- 20 Councillor Sharon Thomas, District 6

- Robert Garza, City Manager
- Harry (Pete) Connelly, City Attorney
- Esther Martinez-Carrillo, City Clerk

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I. RESOLUTION(S) AND/OR ORDINANCE(S) FOR DISCUSSION

(1) Resolution No. 13-101: A Resolution Authorizing Key CI, Inc. General Contractor for Walmart to Work Outside of the Hours of 7:00 a.m. to 6:00 p.m. as Required by the City of Las Cruces Municipal Code, Section 19-131.

Councillor Sorg Moved to Approve Resolution No. 13-101 and Councillor Thomas Seconded the motion.

David Weir, Community Development Director gave a verbal presentation and said this is for a waiver for the Noise Ordinance to allow construction between the hours of 6:00 p.m. to 7:00 a.m. The request was made because they are at the stage where they are having to pour a lot of concrete and they'd like to be able to get the trucks in without heavily impacting the Highway 70 traffic. Staff is in support of this waiver.

Mayor Miyagishima said we noticed that there wasn't an expiration date on this so we would like to add an expiration date of January 31, 2013.

David Weir said the representatives from Key said that is acceptable.

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Councillor Thomas Moved to Amend Resolution No. 13-101 to include an expiration date of January 31, 2013 and Councillor Sorg Seconded the motion.

Mayor Miyagishima called for the roll on the Motion to Amend Resolution No. 13-101 to include an expiration date of January 31, 2013 and it was Approved. 6-0 Councillor Small abstained.

Councillor Smith asked has there been any outreach to the neighborhoods in that area?

David Weir said there has not been any direct contact or mailings to the nearby residential area because the area is far enough away that it won't be impacted.

Councillor Thomas said there isn't any residential areas around this site but if I do receive any complaints I will inform staff of them.

Mayor Miyagishima called for the roll on the Motion to Approve Resolution No. 13-101 as Amended and it was Unanimously Approved. 7-0

Meeting Adjourned at 2:36 p.m.

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