

City of Tucumcari
City Commission Meeting Minutes
January 29, 2015

The Tucumcari City Commission met in a regular meeting on Thursday, January 29, 2015 at 6:00 p.m. in the City Commission Chambers, Members present constituting a quorum were: John Mihm, Ruth Ann Litchfield, Robert Lumpkin, Amy Gutierrez, and Rick Haymaker.

City Staff members present were: Jared Langenegger, City Manager; Doug Powers, Assistant City Manager; Dennis Dysart, Finance Director; Mark Martinez, Project Manager; Shane Warner, Fire Chief; and Mercedes Rudisill, Human Resources Specialist.

Invocation presented by Pastor Tim Hooten with First Baptist Church, and Mayor Lumpkin led us in the Pledge of Allegiance.

Consideration of Changes for Deletions to the Agenda

Mr. Langenegger requested that items 7A and 7D be deleted from the agenda.

Commissioner Mihm made the motion to delete items 7A and 7D from the agenda and Commissioner Gutierrez seconded the motion. Roll Call:

Haymaker	Mihm	Litchfield	Lumpkin	Gutierrez
Yes	Yes	Yes	Yes	Yes

Items from Commissioners

Commissioner Mihm thanked everyone for coming tonight. He apologized from the delay in getting this meeting started, however; the commission was a lengthy executive session.

Commissioner Gutierrez thanked everyone for coming tonight and thanked everyone for the prayers and thoughts during her family's emergency.

Commissioner Haymaker thanked everyone for coming and wished Commissioner Gutierrez a happy birthday.

Mayor Pro Tem Litchfield thanked everyone for coming tonight. She invited everyone to the benefit breakfast on January 31, 2015 for Anthony Benavidez. She also wished Commissioner Gutierrez and Patsy Gresham a happy birthday. She stated Mayor Lumpkin has a birthday on February 3rd. She also stated that Tucumcari is #1 for the most affordable place to live in New Mexico.

Commissioner Mihm thanked everyone for coming tonight.

Mayor Lumpkin thanked everyone for coming tonight. He thanked the commissioners for making us all aware of the upcoming events in Tucumcari.

Approval of Minutes

Mayor Pro Tem Litchfield made the motion to approve the January 8, 2015, commission work session notes and Commissioner Mihm seconded the motion. Roll Call:

Litchfield	Haymaker	Gutierrez	Mihm	Lumpkin
Yes	Yes	Yes	Yes	Yes

Commissioner Gutierrez made the motion to approve the January 8, 2015, commission meeting minutes and Commissioner Haymaker seconded the motion. Roll Call:

Lumpkin	Gutierrez	Litchfield	Haymaker	Mihm
Yes	Yes	Yes	Yes	Yes

Ordinances and Resolutions

Resolution 2015-02, BAR 2nd Quarter Budget Adjustment for FY 2015 – This item was presented by Dennis Dysart, Finance Director. He stated this is a quarterly adjustment. He added we are increasing the budget for the EDC awards. He stated in the next budget session we will be increasing the gross receipts tax by \$200,000 which is higher than budgeted.

He stated the decision was made to pay for the sanitation compactor out of the cash funds will be in the next budget adjustment. He stated we may be showing a \$600,000 deficit at the end of the year. He stated when we look at our normal operating costs we will be at \$350,000 surplus.

Commissioner Haymaker made the motion to approve Resolution 2015-02 and Commissioner Mihm seconded the motion. Roll Call:

Haymaker	Lumpkin	Mihm	Gutierrez	Litchfield
Yes	Yes	Yes	Yes	Yes

City Manager’s Report

Mr. Langenegger introduced the new fire chief, Shane Warner. Mr. Langenegger stated that Mr. Warner comes from Clovis and is a certified paramedic with 14 years experience in fire. He has several certifications and training and he thinks Mr. Warner will be a great asset to the City.

He stated that he met with Donzil Worthington, with Forsgren Associates and we are looking at them to prepare revisions to the bid paperwork for the Sands Dorsey demolition project. He is supposed to have a cost estimate to him tomorrow or early next week and discuss what it will cost to update the bid documents so we can put the bid out. He hopes to have a contract for the commission to approve by the next meeting. Mr. Worthington was very optimistic about the project and stated they should be able to move forward fairly quickly with it. He stated that once

the documents are prepared and we can go out to bid, we can find a contractor who can move forward in demolishing Sands Dorsey.

He stated he also met with Cooperative Educational Services provides services that make it easier for municipalities and schools to do purchases with professional service contracts. He stated the meeting was a good meeting and we discussed the ways we can work with them and make our procurement process smoother and faster. He stated one of the things we will be using CES for, is procuring an engineer for the water pipe from the five mile park into town. He stated using CES will save us time and save us from having to go out for RFP. He stated CES basically goes out for RFP's and have engineer on staff or have bids for engineers where municipalities can utilize those bids and not have to prepare the RFP's, which saves us time.

He stated on January 20th he met with Kathleen Lopez with VFW who has a project she is working on to put in a veteran's monument at the cemetery. We went to the cemetery and found a site that works well for us. She will get more information and figure out exactly where they want to place it. He stated it seems like it would be a great project and hopefully it will be installed in the spring.

Lastly, he received several calls and complaints regarding the water bills and shut off procedures. He stated during the holidays we had people who were concerned with the way we did shut off and added the late and shut off fees. He stated there is a new process which should work smoother. He wants to remind everyone that our bills are due on the first of the month and we give them until the 21st of the month to pay their bills. He stated after that date, is when we begin the shut off process. He stated we have a lot of people who feel their bills are due on the 21st however it is due on the 1st.

Bids and Contracts

Requesting Approval of Legal Services Agreement between the City of Tukumcari and Miller Stratvert, P.A. – Mr. Langenegger presented this item to the commission. He stated this contract is for hiring a personnel services attorney for the City to advise us on personnel matters. He stated we do have an attorney, however; they are not specialized in personnel matters. He stated with having 132 employees, we felt this is a needed service for us to move forward as a City.

Commissioner Mihm made the motion to approve the agreement between the City and Miller Stratvert, P.A. and Mayor Pro Tem Litchfield seconded the motion. Roll Call:

Mihm	Litchfield	Lumpkin	Gutierrez	Haymaker
Yes	Yes	Yes	Yes	Yes

Requesting Approval of Legal Services Agreement between the City and Egolf, Ferlic, and Day – Mr. Langenegger stated this is legal services for a water attorney. This law firm specializes in water resources and currently the City is involved in a protest and mediation in the near future regarding water. He stated we used their services in the past, however; the contract expired and this is a renewal.

Mayor Lumpkin added this law firm has worked with the City and TQCRWA pertaining to the Ute Lake water pipeline project.

Commissioner Mihm made the motion to approve the agreement between the City and Egolf, Ferlic, and Day and Commissioner Gutierrez seconded the motion. Roll Call:

Haymaker	Mihm	Litchfield	Lumpkin	Gutierrez
Yes	Yes	Yes	Yes	Yes

Old Business

Acknowledgment of Tucumcari Senior Citizens Advisory Board Minutes from December 3, 2014- Mayor Lumpkin acknowledged the Tucumcari Senior Citizens Advisory Board Minutes from December 3, 2014.

Acknowledgment of Library Advisory Board Minutes from October 27, 2014- Mayor Lumpkin acknowledged the Library Advisory Board Minutes from October 27, 2014.

New Business

Requesting Approval of Renew Term of Planning & Zoning Member (Ila Beth Hancock) – Mark Martinez explained Ms. Hancock has been on the board for nine years. He is asking the commission to approve her renewal.

Mayor Pro Tem Litchfield made the motion to approve the renewal for Ms. Hancock and Commissioner Mihm seconded the motion. Roll Call:

Litchfield	Haymaker	Gutierrez	Mihm	Lumpkin
Yes	Yes	Yes	Yes	Yes

Requesting approval to Accept Bid for Well #8 Rehab – Mark Martinez presented this item to the commission. He asked the commission to issue a notice of award to the lowest bidder for the well rehab replacement. We received two bids including Rodger’s & Company and Hays Plumbing & Heating. The apparent low bidder was Rodgers & Company which was at \$443,615.18 including gross receipts tax. He stated they are a licensed contractor and it has been verified that they are in good standing.

Commissioner Haymaker made the motion to accept bid for Well #8 Rehab and Commissioner Gutierrez seconded the motion. Roll Call:

Lumpkin	Gutierrez	Litchfield	Haymaker	Mihm
Yes	Yes	Yes	Yes	Yes

Requesting Approval to Accept Litter Control & Beautification Grant Agreement – Mark Martinez presented this item to the commission. He stated this grant goes toward mowers, flowers, youth contracts, \$350.00 is set aside for advertisement and the remainder goes toward network and service fees including per diem for the person managing the grant.

Mayor Lumpkin stated this is a 100% grant and he appreciates the effort that goes into this grant agreement.

Commissioner Gutierrez made the motion to accept the Litter Control & Beautification Grant Agreement and Mayor Pro Tem Litchfield seconded the motion. Roll Call:

Haymaker	Lumpkin	Mihm	Gutierrez	Litchfield
Yes	Yes	Yes	Yes	Yes

Requesting Approval of new board member for Lodger’s Tax (Matthew Bednorz) – Mr. Langenegger stated we have one position open on the Lodgers Tax Board, which is the at large position.

Commissioner Gutierrez made the motion to approve the appointment of Matthew Bednorz as new board member for Lodger’s Tax Board and Mayor Pro Tem Litchfield seconded the motion. Roll Call:

Mihm	Litchfield	Lumpkin	Gutierrez	Haymaker
Yes	Yes	Yes	Yes	Yes

Discussion & Approval of Sands Dorsey Cleanup – Mayor Lumpkin stated the City has been working on getting this done for a long time. He stated the problems were we did not have the money, and the City of Tucumcari does not own the building. In addition, the building is in violation of state ordinances statewide and if we get possession of this building, we will be in violation also. He stated we need to have our plans in a row and we can get this down immediately upon taking possession of the building. He stated in the past, the revenue to tear down the building was a problem. He stated that he and others looked at a referendum changing a tax that already existed so that we can spend the money from that tax to perform this service and get this building out of the way along with other buildings that might need attention.

He stated that since then, it was discussed that we have enough money to get this project started and we may not need the referendum. He stated the tax itself is a ¼ cent gross receipt tax to get Ute Lake water to Tucumcari. He stated we could possibly have a referendum for that in the future that could broaden the definition on how we can spend that money. He stated the way it is set up right now it can only help us to get water from one source, Ute Lake Water. He stated Ute Lake water may not be the only source we can pursue or we may need to pursue. He stated the objective for the tax is to get water from Tucumcari.

He stated right now we have money where we can get this project started. He stated Mr. Powers, Mr. Langenegger, and Mr. Dysart have made sure we have the money. He stated that Mr.

Langenegger has visited with engineers. We now have the opportunity to take this hazardous waste to Clovis, which could save us money.

Mr. Langenegger stated there is no approval necessary. He stated he has already visited with the engineer and once the contract is prepared, he will bring it to the commissioners for their approval.

Mr. Langenegger stated the contract will be for Forsgren Associates to redo the bid packets and put together bid documents so that we can put this project out to bid and have contractors give us a price for disposing and taking down the building. It would also include having Mr. Worthington and his associates oversee the project and come in and conduct engineering oversight for the project and make sure the contractor is doing this correctly. Once the bid documents are put together it would take approximately 60 days to get the documents together at which time it will go out to bid. He stated the bid process may take 30-45 days. This process gives us enough time to work with NMED to get an agreement that states once we take control of the property we remove the debris and not be subject to any fines.

Mayor Lumpkin stated the City will eventually own the land. He stated we have looked at putting a small park, with opening for trees to be planted, tables with awnings and some of the bricks and decorated concrete be incorporated into a short fence

Commissioner Haymaker thanked the citizens and the businesses for remaining positive during this process.

Requesting Approval of EMS Fund Act for Tukumcari Fire Department – Shane Warner, Fire Chief, presented this item to the commission. He stated this fund allows him to request funds from the New Mexico Department of Health, which helps with assistance with vehicle maintenance, training and upgrades.

Mayor Pro Tem Litchfield made the motion to approve the EMS Fund Act and Commissioner Mihm seconded the motion. Roll Call:

Litchfield	Haymaker	Gutierrez	Mihm	Lumpkin
Yes	Yes	Yes	Yes	Yes

Mr. Langenegger thanked Mr. Warner for his hard work in getting this application together.

Public Comments

Carol Keith – She wants to encourage the commission to move forward with Sands Dorsey. She stated it will help Mainstreet tremendously.

Toni Haymaker – She invited everyone to the Art Space Gallery on Feb. 6th for an open mic poetry event. The New Mexico Poetry Society will be here along with President Phil Peach.

Patsy Gresham – She reminded everyone we will have the Latin Comedy Jam on Feb. 21st at the convention center at 8:00 p.m. She stated tickets can be purchased at Tucumcari Ranch Supply, Bob’s Budget Pharmacy and A to Z Cellular.

She also wanted to thank four families in Tucumcari who have helped the Chamber in the development of a new style of ad. She stated they have purchased ads in the Rte. 66 Magazine. She stated our ad will be an active ad. James Lout took photos of Dennis and Janck Garcia and their two children, Mark and Jocelyn Martinez and two daughters, Clay and Cassie Huffman and three children, and Stan and Clair Strong and their children along with Grandmother Strong. They visited the attractions in Tucumcari.

Items from Commissioners

Mayor Pro Tem Litchfield asked Mr. Langenegger to explain to everyone why the City is unable to plow the side streets. Mr. Langenegger stated that right now we don’t have the equipment to plow. He stated the New Mexico Highway Department will clean the main streets. He stated we have graders to clear off the intersection. He stated in the future he would like to procure a used snow plow from the New Mexico Highway Department. Currently our main goal is to clear the intersections, we sand the areas around the schools and children drop offs, we clear the area at emergency areas.

Commissioner Gutierrez added that a citizen recommended taking the snow and putting it in areas that can use the moisture.

Commissioner Mihm thanked Patsy Gresham for using the Lodger’s Tax for a good cause and getting traffic in Tucumcari. He also thanked the families who posed for pictures.

Commissioner Gutierrez thanked the four families for donating their time along with the new volunteers.

Commissioner Haymaker thanked everyone for coming and for everyone listening on the radio. He thanked Ms. Haymaker, Ms. Keith and Ms. Gresham for their public comments.

Mayor Pro Tem Litchfield stated that Ms. Gresham along with several other citizens will be delivering goodie bags to the legislature.

He added that they are still working on a siren system and hopefully we can have it running by the next hazardous weather season. He also thanked KTNM for airing the meetings. He also thanked everyone for volunteering.

Executive Session

Mayor Lumpkin asked for a motion to convene into executive session pursuant to the Open Meetings Act §10-15-1(H)(2), Limited Personnel Matters regarding Fire/EMS Department.

Commissioner Mihm made the motion to go into executive session and Commissioner Gutierrez seconded the motion. Roll Call:

Lumpkin	Gutierrez	Litchfield	Haymaker	Mihm
Yes	Yes	Yes	Yes	Yes

Commission went into executive session at 6:51 p.m.

Commission reconvened from executive session into regular session at 7:11 p.m.

Mayor Pro Tem Litchfield made the motion to reconvene into regular session noting that nothing else was discussed other than limited personnel matters regarding the Fire/EMS Department and Commissioner Mihm seconded the motion. Roll Call:

Haymaker	Lumpkin	Mihm	Gutierrez	Litchfield
Yes	Yes	Yes	Yes	Yes

Adjournment

Mayor Lumpkin asked for a motion to Adjourn. Commissioner Mihm made the motion to adjourn and Commissioner Gutierrez seconded the motion. Roll Call:

Mihm	Litchfield	Lumpkin	Gutierrez	Haymaker
Yes	Yes	Yes	Yes	Yes

Meeting adjourned at 7:13 p.m.

Robert C. Lumpkin, Mayor

ATTEST:

Angelica M. Gray, City Clerk