

City of Tukumcari
City Commission Meeting Minutes
March 24, 2016

The Tukumcari City Commission met in a regular meeting on Thursday March 24, 2016 at 6:00 p.m. in the City Commission Chambers, Members present constituting a quorum were: John Mihm, Ruth Ann Litchfield, Amy Gutierrez and Ralph Moya. Robert Lumpkin was absent

City Staff members present were: Jared Langenegger, City Manager; Doug Powers, Assistant City Manager; Vicki Strand, Community Development Director; Mark Martinez, Project Director; Pete Rivera, Deputy Chief of Police; Clara Rey, Senior Center Director; Ralph Lopez, Project director; Delmarie Fields, Foster Grandparents; and Angelica Gray, City Clerk.

Invocation presented by John Hinze, Pastor of First Baptist Church and Commissioner Mihm led the Pledge of Allegiance.

Mayor Litchfield stated that Mayor Pro Tem Lumpkin was in Oklahoma because his brother had passed away. She asked for prayers for safe travels.

Public Hearing

Ordinance 1135, Second Reading, Requesting Approval of the Execution and Delivery of a Loan for the purpose of financing the costs of a Water System Improvement Project a/k/a The Center Street Water Tank Replacement Project- Mark Martinez presented this item to the Commission. He stated that some of the other documents that need approval include the actual loan and subsidy agreement, intercept agreement, certificate, and delivery and deposit certificate.

Mayor Litchfield stated they got to see the new water tanks when Carmela Manzari from New Mexico Finance Authority was in town, they were really nice and the old ones definitely need to be replaced. Mr. Martinez stated that this project will cover a new bolted glass lined tank similar to the tank on Fifth Street and also the tank out at Metro Well Field. Mayor Litchfield asked if there was a budget increase and Mr. Martinez stated that this was the same project discussed at the last Commission meeting which is a 75% grant, 25% loan over a twenty two year term and this is the number one project on the ICIP ranking so it's important to move forward with the project.

Commissioner Moya asked if this is replacing the gold tank on Main Street and Mr. Martinez stated yes, it needs to be replaced because it is no longer operable. To have the proper water storage for emergencies it is crucial to it replaced as soon as possible. Commissioner Moya stated that in the past a water tank has busted and caused a lot of damage.

There were no public comments for this item.

Commissioner Mihm made the motion to accept the second reading of Ordinance 1135 and Commissioner Gutierrez seconded the motion. Roll call:

Moya	Mihm	Litchfield	Gutierrez
No	Yes	Yes	Yes

Consideration of Changes or Deletions to Agenda

Commissioner Mihm made the motion to approve the agenda as is and Commissioner Gutierrez seconded the motion. Roll call:

Litchfield	Moya	Gutierrez	Mihm
Yes	Yes	Yes	Yes

Approval of Minutes

Commissioner Gutierrez made the motion to approve the March 10, 2016 Work Session Notes and Commissioner Mihm seconded the motion. Roll call:

Gutierrez	Litchfield	Moya	Mihm
Yes	Yes	Yes	Yes

Commissioner Mihm made the motion to approve March 10, 2016 Commission Meeting Minutes and Commissioner Gutierrez seconded the motion. Roll call:

Moya	Mihm	Gutierrez	Litchfield
Yes	Yes	Yes	Yes

Commissioner Moya commented that whoever writes the minutes does a good job.

Proclamation, Memorials, or Petitions

Proclamation honoring the achievement of our Tukumcari Rattlers- The proclamation was accepted by Coach John Span and the Tukumcari Rattlers basketball team.

Mayor Litchfield stated that she was so proud of the Rattlers and that is was fun to watch them play all season.

Proclamation honoring the achievements of our Lady Rattlers- The proclamation was accepted by Coach Gary Hittson and several of the basketball team.

Mayor Litchfield stated that she was proud of the Lady Rattlers and congratulated them.

Proclamation declaring April 5, 2016 as Mayor and County Recognition Day for National Service 2016- The proclamation was accepted by Delmarie Fields.

Mayor Litchfield congratulated and thanked Ms. Fields for all her service especially with the senior citizens and stated that she does a great job. She also asked that the rest of the Senior Center staff please stand in order to be recognized.

Proclamation declaring March 29, 2016 as Welcome Home Vietnam Veteran’s Day- The proclamation was accepted by Gigi Parker and Susan Taylor from the Daughter’s of the American Revolution.

Mayor Litchfield stated that some of the people in attendance lived during the Vietnam War so they really do appreciate the Vietnam Veterans.

Ms. Parker stated that Quay County had approximately three hundred- twenty six people who served in Vietnam and twelve were killed in action so this is very important. Mayor Litchfield stated she visited with some ladies at the VFW and they were happy that there is something in honor of the veterans.

Ordinances and Resolutions

Ordinance 1136, First Reading, an Ordinance adding Chapter 5.30 of the Tukumcari Municipal Code to include Rummage, Garage, and Yard Sales, and providing for enforcement and penalties in the City of Tukumcari, New Mexico- Mr. Langenegger presented this item to the Commission. He stated this ordinance places some regulations on garage sales within the city but doesn't prohibit them. This ordinance will require anyone that wants to have a garage sale to obtain a permit from the City, there is no cost associated with the permit but there is a restriction of four garage sales per year. Right now there are issues with ongoing garage sales within the city. There have been citizens coming in and complaining that their neighbors are having a sale every weekend causing a traffic hazard and congestion within residential areas, some are being run as a business without a business license. This ordinance allows the City to limit garage sales to four garage sales a year per individual, it restricts the hours to 8:00 a.m. until 7:00 p.m., it requires a permit, puts regulations on signs. Signs can only be 24 x 24 inches and may only be posted two days before the sale and must be removed within twenty-four hours after the sale. We have had signs that stay up for weeks, it doesn't look very attractive for our city and we need to do something to make sure people clean up after themselves.

Mayor Litchfield stated the permit does not cost anything, Mr. Langenegger stated that the permit would be free it just allows the City to make sure people don't have more than four a year. The permits will be available from the Code Enforcement office and there will be no charge.

Commissioner Moya stated he had received some feedback from the community from people that have garage sales annually and they understand. There are people who will go to other towns and purchase storage units and then have a garage sale here every weekend and the people who have garage sales once or twice a year think it's a great idea that we are requiring them to pick up their signs because there are signs that are pretty old that are still up. He stated that he has heard nothing but positive feedback from the public and they believe only four garage sales a year is great.

Mr. Langenegger stated that the ordinance also has exceptions for non profits that are using garage sales as a fundraiser.

Susan Taylor asked what the consequences would be for people that don't follow the ordinance. Mr. Langenegger stated that the consequences are listed under the general municipal ordinance. . They will be cited into court and the Judge will decide what the fine will be between \$25 and \$100. Mayor Litchfield stated that the Commission discussed when the ordinance first starts code enforcement will be pretty lenient, if you've been cited more than once for not having a permit you might be fined. It's something new so we will all have to adjust to the new policy. Commissioner Moya stated that it is a matter of educating the public that there is no fee but you still need a permit.

Commissioner Gutierrez made the motion to accept the first reading of Ordinance 1136 and Commissioner Mihm seconded the motion. Roll call:

Mihm	Litchfield	Gutierrez	Moya
Yes	Yes	Yes	Yes

City Manager's Report

Senator Heinrich Visit- I would like to thank Mesalands Community College and the VFW for making United States Senator Heinrich's visit to Tucumcari a success today. The Senator began with a visit to the college's Wind Energy Center and took the opportunity to climb to the top of the wind turbine. After the visit at the college, we had an excellent lunch prepared by the VFW where the Senator was able to visit with many of the local veterans. I appreciate the opportunity to visit with the Senator and appreciate our local legislators and city and county representatives taking the time out of their busy schedules to meet with the Senator.

NMFA- Last week after the Municipal League District meeting, we had the opportunity to visit with Carmela Manzari from the NM Finance Authority. We took her around town showing her many of the projects we are working on that have been made possible through NMFA including our most recent award for the Center Street Water Tank. We also discussed with Ms. Manzari our current municipal debt situation and are working with her and Paul Cassidy from RBC Capital to determine if we may be able to refinance some of our larger projects at lower interest rates to save the City money.

Waste Not- I attended a meeting in Santa Fe with the Energy Mineral and Natural Resources Department Energy Conservation Division to begin work on a project to reduce energy costs at our wastewater plant. We were selected along with four other communities to participate in a grant to have an energy audit completed for our wastewater plant and develop a plan to reduce energy use. The grant covers the cost of the audit and technical assistance to pursue funding for energy saving projects.

Chip seal- We met with Pacheco's construction regarding our chip seal project for the streets south of Washington. They are ready to begin work on this project and are hoping to begin construction in April. This project will chip seal parts of Second through Tenth Streets on the south side of the City.

SET Program - Working with Pat Vanderpool our EDC Director, we are going to begin working on developing a Regional Economic Development Strategy through the Stronger Economies Together grant program. This program is sponsored by the USDA and NMSU and is for communities to work together to develop strategies for economic growth regionally. We have a meeting set for next Thursday to meet with the representatives from Guadalupe, DeBaca and Torrance counties.

Mayor Litchfield stated that the Municipal League District Meeting was well attended, we had a delicious lunch and they loved our facility at the Convention Center and they would like to have it here all the time.

Bids & Contracts

Requesting Approval of 2016 Youth Conservation Corps/ Services Agreement- Mark Martinez presented this item to the Commission. He stated that the grant has a total value of \$68,497.38 of that \$39,710.32 is completely free a 100% grant, the remainder of that is in-kind and that is from the payroll of the employees involved with the grant from the city as well, including trainings and use of equipment. The YCC program offers the young adults in our community the opportunity to gain job experience, work ethic, receive college credit and gain responsibility. The 2016 YCC will focus on improvements to the Community Development building and striping of the parking lots of the Convention Center and the Del Norte Center which is following up with last year’s project with improvements at Del Norte which came out really nice. This is a great opportunity and we’ve been lucky to receive this grant almost every year.

Mayor Litchfield asked how many young people usually get employed. Mr. Martinez stated seven people from the age of fifteen to twenty-five. Mayor Litchfield asked where they apply. Mr. Martinez stated interested people can apply at City Hall. Advertising will begin either at the end or beginning of April and at that time we receive applications and go through the process and hire seven people. Mayor Litchfield stated it’s a great program and the Del Norte Center is wonderful and looks so nice, they did a great job last year.

Commissioner Mihm made the motion to approve the 2016 Youth Conservation Corps. Agreement and Commissioner Gutierrez seconded the motion. Roll call:

Moya	Mihm	Litchfield	Gutierrez
Yes	Yes	Yes	Yes

New Business

Requesting Approval of 2017 Capital Outlay Application- Clara Rey presented this item to the Commission. She stated that at the Senior Center they have been very fortunate, in the past they have gone after capital outlay money through the Aging and Long Term Services Department. Again we will be looking to them to make some requests to the Legislator in 2017 and at this time we are looking at some renovations to the building. We have been very fortunate that we are having all our major kitchen equipment is in process of being replaced this year. We have also received \$190,000 to purchase new vehicles this year so we’re busy shopping. This request is actually for the building. The building was built in the 1970’s, it was built as a senior center but not for a meal sight. The meal sight was separate it use to be at the Cap building. If you’ve been to the Senior Center you’ll see that the layout of the building isn’t very good, the dining room isn’t very good and the kitchen is not a commercial sized kitchen. We aren’t able to do something about some of those things but there are some things we can do with renovations. We also have a very large walk-in freezer in the back but the cooks have to exit the building to get to it and when it snows or gets cold they’re walking on ice, so there are some safety concerns as well. We are requesting approval to

submit this application for the amount of \$128,943.58 to Aging and Long Term Services Department to be included in their packet to go to the Legislator in 2017.

Mayor Litchfield thanked Ms. Rey and stated that anyone that goes to the Senior Citizen Center knows that it needs some repair, it looks better since its been painted but it still needs repairs.

Commissioner Moya stated that he had read the report and it was written very well and that building is outdated and it wasn't built for serving meals or for the commercial kitchen and it does need a lot of renovation. He stated he was at the Senior Center about a month ago and he saw all the work that needed to be done, so it would be ideal especially for the seniors. Ms. Rey stated that this also includes a complete new electrical upgrade. The current building can't hold the computers and when it was built there weren't big ice machines or big coffee makers so we're also looking into some code compliance. Commissioner Moya stated that he saw a bid and asked if they had gotten others. Ms. Rey stated those were not bids but estimates and the contractors know that when the time comes to go out for bids it has to be competitive because of the price. The Aging and Long Term Services Department is requiring estimates with the packet it has to be an estimate from an expert in the field.

Commissioner Mihm made to motion to approve the request for the 2017 Capital Outlay Application and Commissioner Gutierrez seconded the motion. Roll call:

Litchfield	Moya	Gutierrez	Mihm
Yes	Yes	Yes	Yes

Requesting approval to waive Convention Center fees for Rawhide Days- Karen Alarcon and Russell Braziel presented this item to the Commission. Ms. Alarcon stated that they were trying not to ask for the fees to be waived but the event is getting close and the funding isn't where it needs to be, although there has been very generous donations and fundraisers are still going on but at this time they feel it is necessary and she hopes they won't have to ask again next year.

Mayor Litchfield asked if the request for the fees was for one night. Mr. Braziel stated it would be for a day and a half.

Commissioner Moya stated he had read the remarks on how Rawhide Days got started and it's interesting to know it all got started with a comment on the radio and it's good because it goes with our area because of the pioneers and the settlers. Mr. Braziel stated he thinks it's a great idea that Ms. Alarcon came up with. Commissioner Moya agreed and stated it's very creative and it's great and we need more ideas and innovation like this. Mr. Braziel stated that it will bring in a lot of people to town and that there has already been a lot of really good exposure. Ms. Alarcon stated they had received a call from the Albuquerque Journal yesterday and they did an interview that will be coming out a week from Sunday, in the life section and the travel center. Another story was actually dropped for ours so we're excited about that. She stated that Simon with Rockabilly called her and asked how we got the ad on Pandora. We had no idea that the ad was playing on Pandora and it's because of New Mexico True. Commissioner Moya stated that Charles Dunn had gotten a hold of him and gave him a lecture on how that got its start and everyone in the community is excited about

this. Mr. Braziel commented that Mr. Dunn would like to see Rawhide branch off with the SSA having a competition here, which would be fantastic.

Mayor Litchfield stated that she personally feels that it would be a good idea to waive the fee.

Commissioner Moya made the motion to approve the request that the Convection Center fees be waived for Rawhide Days and Commissioner Mihm seconded the motion. Roll call:

Gutierrez	Litchfield	Moya	Mihm
Yes	Yes	Yes	Yes

Mr. Braziel thanked the Commission and stated that it will be a great time and everyone is looking forward to it.

Appointment of Liaisons to Advisory Boards-Mayor Litchfield stated that the only change that was made was Commissioner Moya would be the liaison to the Museum.

Commissioner Mihm made the motion to make the change to the liaisons of the advisory boards and Commissioner Gutierrez seconded the motion. Roll call:

Moya	Mihm	Gutierrez	Litchfield
Yes	Yes	Yes	Yes

Requesting approval of Rejection of Bids for the Construction of Phase II Daub's Addition Water/ Street Improvement- Ralph Lopez presented this item to the Commission. He stated that on March 16th the City opened bids for the construction of the Daub's Addition project and only one bid was received from K Barnett and Sons for the amount of \$635,071 including gross receipts tax. The engineer's estimate for the project was only \$440,840 since that was not in the 10% that the funding agency allows to negotiate we are forced to reject the bid. The bids were checked and everything was finalized and at this time he recommends that the bid be rejected. He stated that they will adjust their plans and look for new contractors and see if there can be a rebid as timely as possible.

Mayor Litchfield thanked Mr. Lopez.

Commissioner Gutierrez made the motion to approve the request to reject bids for the construction of Phase II Daub's Addition Water/Tank Improvements and Commissioner Mihm seconded the motion. Roll call:

Mihm	Litchfield	Gutierrez	Moya
Yes	Yes	Yes	Yes

Public Comments

Daniel Garcia- Mr. Garcia stated that he'd like to speak about welcome home Vietnam Veterans and asked if there were any combat veterans in the audience. He stated that he was not a combat Vietnam Veteran but he was a Vietnam era veteran, his unit in camp Pendleton was sending people to Vietnam right before he left the Marine Corps with an honorable discharge. He stated he just wanted to see if there were any combat veterans in attendance, there was one.

Mayor Litchfield stated that Mayor Pro Tem Lumpkin was also a Vietnam Veteran and Commissioner Mihm stated he was also.

Gail Sanders- Ms. Sanders stated she was the director of the Tukumcari Chamber of Commerce and she wanted to remind everyone that the Chamber's annual event was coming up on April 9th at 6:00 p.m. at the Tukumcari Convention Center. There will be a shrimp boil, silent auction and Chad Prather as entertainment. Tickets are available at the Chamber of Commerce, \$35 per person or \$250 for a table of eight.

Rick Haymaker- Mr. Haymaker stated that last Friday night the Artspace had a poetry reading and thanked Mayor Litchfield and Commissioner Gutierrez for attending and supporting the event. There were fifty people in attendance and the representative of the state readers said that Tukumcari always has the biggest crowd in the entire state. We are making these a semi-annual event. Next Friday there will be a drum circle and he will be asking the City for permission to have it at a park, maybe Whales Park it would be Friday April 1st at 6:30 until 8:30 p.m. He stated he's hoping to have it at Whales Park but if the wind is too bad it will be at the Artspace. He thanked Mr. Langenegger and stated that the Sand's Dorsey lot was coming along very nice, there are trees being planted.

Items From Commissioners

Commissioner Mihm thanked everyone for coming and stated it was nice to have a full house and he's glad to see people engaged and interested in what's going on in the community. He congratulated the Rattlers and commented that tonight was the most proclamations he's seen in two years, but it's a good thing because it means a lot is happening in Tukumcari.

Commissioner Gutierrez also congratulated the Rattlers and stated that the boys and girls did an awesome job representing Tukumcari and congratulated the other local teams that advanced in their districts as well. She stated that she'd like to thank all for their hard work when presenting their items during the meeting. The work that goes into putting together the Commission's packets is greatly appreciated and the support that community gives is appreciated. She wished everyone a happy Easter.

Commissioner Moya stated he had a question about the letter that was presented to the Commission earlier in reference to someone's utilities being turned off. The letter stated that there was no notice given and asked if the City did that. Mr. Langenegger stated that the City doesn't provide notices, the bill is the notice. People are given from the 1st of the month until the 21st to pay their bill; the bill is due on the 1st if they aren't paid by the 21st then disconnects start. Commissioner Moya stated that he understood but wouldn't it be courtesy, this is a small community and we should at least give them a call. He stated he noticed last month that his sister got her water turned off at her business and he was in town so he came and paid it for her but she had orders to do that day and we should make it a practice to call them. It's not too big of a deal to call a person especially if they are a

business because they depend on that revenue. He stated that it's not that his sister is broke she just forgot about it and he felt bad because she had to pay an extra fee but at the same time she had orders so he went ahead and paid the fees. We need to see as a City if we can be a little friendlier and try to call some of the people that their water is being turned off especially the businesses and let them know that they have so much time before we shut off their water because it is very important especially if they are running a business and sometimes it's not the fact that they don't have the money sometimes they're just too busy. He stated he is very busy and forgets things, he doesn't know how the rest of the Commission feels but he feels like this is something the City should do.

Mayor Litchfield stated that her water got turned off last year and it was just because she forgot to come pay it. Commissioner Moya stated that the City should do courtesy calls. Mr. Langenegger stated one of the reasons the City doesn't do courtesy calls is due to the number of shut offs. This last month we had sixty-five shut off notices so for a staff of three to make phone calls to sixty-five individuals is very time consuming. We've done a lot of work within the City reducing the number of staff within City Hall to reduce the budgetary expenses and bring costs down and personnel is a big cost, so within our finance department we reduced by two or three positions and in doing that each individual employee takes on multiple responsibilities. The number of calls that would need to go out to notify people would be too time consuming, we do offer an option where if an individual would like to sign up for auto draft, the bill automatically gets drafted out of their account and they never have to worry about being shut off. We do send out a notice same as a bill so you know what comes out of your account prior to it coming out. We're happy to sign up anyone that's interested in that. Commissioner Moya stated that's great but at the same time the City doesn't even take debit cards which is okay but at the same time we have to understand that the purpose of the municipality is to serve the community and when serving the community we need to be a little kinder. When someone's water is shut off that extra money that they have to pay could be utilized to pay someone, we need to realize that there are people that cannot afford to have their water shut off because it disrupts their business it is their responsibility but at the same time we have to look out of our residents, they are our neighbors and family so we must look into this. He stated he appreciates the fact that the City cut down on personnel for budgetary reasons but at the same time we're here to serve the public and we have a responsibility to the public and the public has a responsibility to us, so we should look into it.

Mayor Litchfield stated she agrees with Commissioner Moya especially in regards to a business and suggested putting this item on a work session to discuss how to do this. Commissioner Moya stated that he had received a call from a lady who had gotten her water shut off and she had people from out of town over for a meal but didn't have any water and it wasn't until the following day that she could turn it back on and the lady can afford it but the problem is we all get busy with our lives. We cannot disrupt business, some business owners' count on their businesses to pay for their utilities and also make a living and when the City turns off the water they can't operate. Mayor Litchfield stated let's put this on a work session and we can discuss it more and maybe get something done.

Commissioner Moya stated that he would like to spend some time with Mr. Langenegger and discuss how much money the City is contributing to the Economic Development Corporation, we need to look at this and see the assessment and see if we're getting our money out of it or not and what's happening with it. Mayor Litchfield stated that she had a copy of the minutes from economic development. Commissioner Moya stated he'd like a copy of the budget, he would like to study and be aware of what's happening and he needs to know what's going on. Mr. Langenegger stated that he is happy to meet with him at any time.

Phyllis Garcia commented that since the City is cutting down on the budget why don't volunteers make the calls to those that are being shut off, there are always volunteers. Mayor Litchfield stated that was a good idea and thanked Ms. Garcia.

Executive Session

Commissioner Mihm made the motion to convene into Executive Session pursuant to the Open Meetings Act 10-15-1(H)(7) to discuss threatened or pending litigation by the public body and Commissioner Gutierrez seconded the motion. Roll call:

Moya	Mihm	Litchfield	Gutierrez
Yes	Yes	Yes	Yes

Commission convened into Executive Session at 7:00 p.m.

Commissioner Mihm made the motion to reconvene from Executive Session noting that that nothing was discussed other than threatened or pending litigation in which the public body is or may become a participant and Commissioner Gutierrez seconded the motion. Roll call:

Litchfield	Moya	Gutierrez	Mihm
Yes	Yes	Yes	Yes

Commission reconvened from Executive Session at 7:07 p.m.

Adjournment

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

Gutierrez	Litchfield	Moya	Mihm
Yes	Yes	Yes	Yes

Meeting adjourned at 7:08 p.m.

Ruth Ann Litchfield, Mayor

ATTEST:

Angelica M. Gray, City Clerk