

**City of Tucumcari**  
**City Commission Meeting Minutes**  
**July 14, 2016**

The Tucumcari City Commission met in a regular meeting on Thursday July 14, 2016 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 Ralph Moya.

City Staff members present were: Jared Langenegger, City Manager; Doug Powers, Assistant City Manager; Dennis Dysart, Finance Director; Vicki Strand, Community Development Director; Ralph Lopez, Project Manager; Jason Braziel, Police Chief ; Shane Warner, Fire Chief ; and Angelica Gray, City Clerk.

Invocation presented by Rick Haymaker. Steve Hansen led the Pledge of Allegiance.

**Consideration of Changes or Deletion to Agenda**

Commissioner Moya stated that he would like to request that item 7F be deleted from the agenda.

Mayor Pro Tem Lumpkin stated that there was one part the ordinance that is very important to people in the community. If someone gets a ticket because your grass is too tall, there is a price attached to that ticket and there is no judgment by the judge. There are extenuating circumstances, there are people that are having a hard time getting things done, and I know there are also people abusing it. When Code Enforcement goes to someone's yard and finds another infraction then there are two tickets and some of those people that are having trouble paying for a lawn mower are ending up paying more money. That's a motivator for that not to happen again, but myself, Judge Dominguez and the people of the community feel like in those circumstances the judge can make a judgment. We elect our judge to make these judgments but the judgments are attached to the ticket. I realize that there are some people that have burnt out buildings and dangerous properties I'm not asking that we change those I'm asking that we let the judge make the penalty phase other than the dangerous building sections. The dangerous buildings need that motivation. We have buildings around town that need to be taken care of, this will not affect that, and it will not affect the motivation or the teeth in the ordinance.

Commissioner Moya stated that he opposed this ordinance from the beginning and voted against it. Why wasn't this thought through before bringing it to the Commission for a vote? This makes it look like the Commission will make an ordinance and then rescind it within thirty days. We'll be a governing body that thinks we know what we want then changes their minds. When I was questioning you all on this, Mayor Pro Tem Lumpkin said a lot of thought had gone into this, there were questions but you were going to go with it because you felt it was well needed. I was very upset because I did not like the ordinance. We have to look at the fact that this is a governing body and when we pass an ordinance or a law we shouldn't go back and rescind it because it makes us look like we won't stand with what we do. Not only does the Municipal Judge have certain penalties that he has to follow sometimes legislation will put fines on people on what needs to be done and even the magistrate judges has to follow them so it's not uncommon for a governing body to put into an ordinance or state law. He asked if the code enforcement officer works with the public. Mr. Langenegger stated that the process is the code enforcement officer finds a violation, and then sends

a letter out to the individual. The letter outlines what is wrong, and what they need to do to correct it. The letter has the contact information for the officers and states that if the person needs assistance with coming into compliance they can contact the officer. We have had several people call that were ill or elderly and our code enforcement officer gives them an extended deadline. They are working with people trying to get them to cooperate without bringing them into court. The ones that are going to court are ones that are receiving the first letter, a second notice and don't ever contact code enforcement to try to comply.

Commissioner Moya stated the Commission is looking at a volunteer policy could we start a program for court ordered community service to start helping to clean up some of these properties. Mr. Langenegger stated that Chief Braziel wants to work with a group that will clean up graffiti, clean up nuisance properties and things of that nature. Once we get that volunteer policy into place I think that is something that we can organize. I think we could find volunteers that would want to help clean up properties there's a lot of people that want to see Tukumcari successful. Mayor Litchfield stated that there are churches that have offered to volunteer and go and help these people clean up their yards. They have youth groups that need to do community service. They don't want to be responsible for all of it but they want to assist.

Mayor Pro Tem Lumpkin stated that when he voted for this I said that I was going to vote for this because we need to get it started but we need to be able to amend it as we go and that's what I'm doing. People are asking me to help, people are asking the judge to help and the judge is asking me to help. This is a very important part of this we're not taking any of the teeth out of the ordinance. The people that are having trouble cleaning up their yards still have that second letter, the court cost and the court visit that is plenty of motivation for them to keep their yard cleaned up. I'm asking this for the people of Tukumcari. I will not be coming back on every ordinance in any way. This caught people off guard especially the penalty phase and it is what I'm asking for help with. The penalties for the dangerous buildings will not change this will only affect people that are having a yard issue. I am asking the Commission to change the penalty phase to where the judge can make the judgment on the yard issues.

Mayor Litchfield stated if we let the judge decide the penalty what if decides that they're trying and ignores the penalty then wouldn't we be right back where we were? Mayor Pro Tem Lumpkin stated that he spoke to Judge Dominguez and he said when there is a second offense it will be handled accordingly. He has been re-elected and has a good record in enforcing the law and he will enforce the ordinance. Commissioner Moya stated he got a notice for a building that he owns and he has already spent a lot of money on it to bring it into compliance and he isn't even half way through. A lot of other people have spent a lot of money so have even torn their buildings down because they are trying to comply. He suggested that give this ordinance more time before changing it. Mayor Pro Tem Lumpkin stated that Judge Dominguez asked him to bring this in front of the Commission.

Commissioner Moya made the motion to delete item 7F from the agenda and Commissioner Mihm seconded the motion. Roll call:

Litchfield	Moya	Gutierrez	Mihm	Lumpkin
Yes	Yes	Yes	Yes	No

**Approval of Minutes**

Commissioner Mihm made the motion to approve the June 23, 2016 Commission Meeting Minutes and Commissioner Gutierrez seconded the motion. Roll call:

Lumpkin	Gutierrez	Litchfield	Moya	Mihm
Yes	Yes	Yes	Yes	Yes

**Ordinances or Resolutions**

**Resolution 2016-18, Resolution for 2017 NMDOT COOP-** Ralph Lopez presented this item to the Commission. The City of Tucumcari applied for and received a grant from New Mexico Department of Transportation to do improvements on Second Street. We were awarded \$49,093 including our matching which was \$12,273. As part of the agreement process they ask for a resolution pledging our support to the project.

Commissioner Mihm made the motion to approve Resolution 2016-18 and Mayor Pro Tem Lumpkin seconded the motion. Roll call:

Moya	Lumpkin	Mihm	Gutierrez	Litchfield
Yes	Yes	Yes	Yes	Yes

**Resolution 2016-19, NMDOT RTP Resolution Tucumcari Walking/Jogging Trail-** Ralph Lopez presented this item to the Commission. The City of Tucumcari is in the process of applying for another New Mexico Department of Transportation grant. This is for improvements on the walking and jogging trail located on Seventh Street by the auditorium. We are just starting the process but one of things that they require is a resolution of sponsorship which is laid out by this resolution. We're looking at the amount of \$111,891 and they require a 14½% match.

Commissioner Mihm made the motion to approve Resolution 2016-19 and Commissioner Gutierrez seconded the motion. Roll call:

Mihm	Litchfield	Lumpkin	Gutierrez	Moya
Yes	Yes	Yes	Yes	Yes

**Resolutiono 2016-20, NMDOT TAP for 2<sup>nd</sup> Street Rehab-** Ralph Lopez presented this item to the Commission. This is also a New Mexico Department of Transportation grant. The City of Tucumcari would like to do a walking trail in conjunction to other improvements we're looking to do on Second Street. The estimate for this is \$52,303 mainly for sidewalks, ADA improvements along both sides of Second Street beginning on Main Street. This is a resolution of sponsorship that is needed to begin the application.

Mayor Pro Tem Lumpkin made the motion to approve Resolution 2016-20 and Commissioner Mihm seconded the motion. Roll call:

Moya	Mihm	Litchfield	Lumpkin	Gutierrez
Yes	Yes	Yes	Yes	Yes

**City Manager's Report**

ACT Work Keys – Unfortunately Deedee Arnzen our contact with NM Workforce Connections who was providing all of the ACT assessments for us has moved on to another job. That means that our regular schedule of assessments that we had set up will have to be suspended temporarily. I have visited with Reba Zollers with NM Workforce Connection and they are going to provide training to our library staff so that we are able to conduct the assessments at our Library utilizing our staff. This training should take place the first week of August. This means that we will have to postpone the requiring of Work Keys Assessments for new hires at the City until we can get the assessment sites back up and running.

Wheels on Fire Century – We are making progress in coordinating a 100 mile bicycle ride to be held on September 24<sup>th</sup>. Registration is open for the event and there are several local sponsors supporting the event. This ride will be held in conjunction with Fired Up and will begin at the convention center and go down route 66 to San Jon, then up the caprock to Grady, then to Ragland, and back to the Convention Center. We hope to make this an annual event with several participants. Santa Fe holds a similar event annually that has approximately 2,500 riders. Brandon Goldston with B-Digity Bike Shop has done an excellent job spearheading this effort. He has worked with connections in Amarillo, Albuquerque, Santa Fe, and Clovis to advertise and try to attract riders.

Center Street Water Tank – The plans are nearing completion for the Center Street water tank. Once the plans are complete we will put them to bid which will most likely be the beginning of August. There will be a 30 day bid on the project as required by the Environment Department. City staff is coordinating with Xcel Energy to remove the trees on the north side of the tank to facilitate demolition and construction.

HUD Meeting – I attended a meeting with our Housing Director Viki Riddle and representatives from HUD today in Albuquerque. We discussed how the housing budget can be utilized as well as options for making the housing authority independent. I will submit a full report in the weekly report that I send out to the commissioners.

NMML Meetings – I will be attending the NMML Resolutions Committee meeting next Saturday in Albuquerque as well as the NMML City Manager’s Association Meeting in Ruidoso on July 27-29.

Commissioner Moya asked how the wastewater project was going. Mr. Langenegger stated that they have HDR Engineering working on providing the environmental study which is close to being complete. Then they will begin work on the preliminary engineering report which will give us an estimated total cost for the project and will give us an idea on how to proceed.

## **Bids & Contracts**

**Consideration of NMDOT Bids and Contracts for 2016/2017 NMDOT COOP 2<sup>nd</sup> Street-** Ralph Lopez presented this item to the Commission. This is the contract that goes along with the resolution that was approved. This is an actual contract with NMDOT for improvements on Second Street. The grant amount is \$36,820 with an in-kind amount of \$12,273. If this is approved we can send this in and we’ll have permission to go out for bids.

Mayor Pro Tem Lumpkin made the motion to approve the contract for 2016/2017 NMDOT COOP 2<sup>nd</sup> Street and Commissioner Mihm seconded the motion. Roll call:

Litchfield	Moya	Gutierrez	Mihm	Lumpkin
Yes	Yes	Yes	Yes	Yes

**New Business**

**Lodger’s Tax Advisory Board Funding for Fired Up!, Chamber of Commerce, Rawhide Days, and Rockabilly on the Route-** David Brenner presented this item to the Commission. He stated that the Lodger’s Tax board had a funding request of \$96,410. After working with city officials and the requesters we were able to lower the request to \$75,000. The Lodger’s Tax Fund is a fund that is completely sourced from people that are coming from Tucumcari as visitors. There is a 5% tax for every dollar they spend on lodging. He stated that at a previous meeting they spoke about generating videos and audio promoting Tucumcari, which would be shown during the July 28<sup>th</sup> meeting. The board looked at a proposal from a contracting agency to help promote those videos. The Lodger’s Tax Board has not approved that contract yet but we did set aside funds for the 2017 fiscal year to ensure that we could promote Tucumcari as a tourism destination. We set aside \$17,500 for a six to seven month window where we would see those promotional videos advertised significantly to areas that are four to six hours away.

The budget does have a deficit that brings our ending balance to \$21,000 at the end of fiscal year 2017. The executive side brings the ending balance to \$406,000 there is still a significant amount of funding available. The options that the board considered were a onetime transfer from the executive side to promotional and funding a portion of the projects from the executive side of the budget. By moving those costs over to the executive budget it does give the events a little more flexibility in how they can spend the funds because money that comes from promotional can only be spent for advertising fifty miles away from Tucumcari.

Mayor Pro Tem Lumpkin stated as liaison for the Lodger’s Tax board, the board has been very good to work with they are very efficient and have added a lot of accountability to the project.

Mayor Pro Tem Lumpkin made the motion to approve the budget as submitted and Commissioner Mihm seconded the motion. Roll call:

Lumpkin	Gutierrez	Litchfield	Moya	Mihm
Yes	Yes	Yes	Yes	Yes

**Consideration of Bid Evaluation and Recommendation for Award of the Phase II Daub’s Addition Water/ Street Improvements Project-** Ralph Lopez presented this item to the Commission. He stated on July 7<sup>th</sup> the City of Tucumcari opened bids for Phase II Daub’s Addition. We received two bids, one from Desert Fox, LLC and J&D Contracting. Desert Fox was the lowest bidder with a total cost of \$489,844.16. The bids were reviewed and verified by the engineer and their recommendation was Desert Fox, LLC.

Mr. Langenegger stated that he would like to thank the Planning and Zoning staff, they’ve done an excellent job this has been a difficult project. This is actually the third time we went out for bids for

this project. The first time we received a bid that was far above our budget, the second time we didn't receive bids and the third time we received two bids. I'm very happy to see that we received bids and now we can move forward with this. I just want to thank our staff for the hard work they've put into this, it's been a long process.

Commissioner Gutierrez made the motion to approve the bid evaluation and recommendation for award to Desert Fox, LLC and Commissioner Mihm seconded the motion. Roll call:

Moya	Lumpkin	Mihm	Gutierrez	Litchfield
Yes	Yes	Yes	Yes	Yes

**Consideration of Recommendation for Award of the Tukumcari Great Blocks on Mainstreet Design Project RFP#: 16-03-** Mr. Langenegger presented this item to the Commission. He stated that this project was to do a major redesign of three blocks of the Main Street district. We received a \$70,000 grant from New Mexico Mainstreet for this project. We received several proposals and it was very competitive. The selection went to MRWM, an architectural landscape firm that has done several of these projects. Mainstreet spoke very highly of them. We would like the Commission to approve this selection so we can move forward with developing a contract.

Commissioner Mihm made the motion to approve the recommendation for award of the Tukumcari Great Blocks on Mainstreet Design Projects RFP# 16-03 and Commissioner Gutierrez seconded the motion. Roll call:

Mihm	Litchfield	Lumpkin	Gutierrez	Moya
Yes	Yes	Yes	Yes	Yes

**Consideration of Agreement Providing the Convention Center to Rockabilly on the Route for \$500 Per Year-** Mr. Langenegger presented this item to the Commission. He stated that along with the Lodger's Tax application from Rockabilly we also received a request to put in writing that the City will provide the Convention Center to Rockabilly on the Route for \$500 as long as the event is held. The last four years it has taken place we reduced the Convention Center fee to \$500 for the entire event. We look at this as the City's contribution to trying to make it a successful event. He stated that he believes it is a good thing to keep doing. It helps keep their costs down, keeps them coming to Tukumcari and provides a good event for people to visit Tukumcari. If the Commission approves this I will draft up an agreement outlining that we would provide the Convention Center to Rockabilly on the Route for \$500 a year. Mayor Litchfield stated that it shows good faith that we want the event here.

Commissioner Gutierrez stated that there were vendors that were not happy with their location at the Fair Barns and that needed to be looked at.

Commissioner Mihm made the motion to approve the agreement to provide the Convention Center to Rockabilly on the Route for \$500 per year and Mayor Pro Tem Lumpkin seconded the motion. Roll call:

Moya	Mihm	Litchfield	Lumpkin	Gutierrez
Yes	Yes	Yes	Yes	Yes

**Consideration of Signs for Quay County on the Move-** Mayor Litchfield stated that the Commission discussed this item in their work session and they agreed to the signs so it didn't need to be put to a vote.

### **Public Comments**

**Gail Sanders-** She stated that she found an article on Expedia titled "Thirty Best Things to do in the US before You're Thirty." Number nineteen was road trip down Route 66, there are hospitable towns along the way like Tucumcari, New Mexico. She stated that she received a "Trip to Remember, Get Your Kiss on Route 66", which is a fun romance book. The author stopped at the Chamber of Commerce and Mainstreet and got some ideas for her book. Tucumcari and its attractions are mentioned several times in the book. The next book is coming out in August and it's titled "A Tucumcari Christmas."

**Gail Houser-** He thanked the Commission for approving the Lodger's Tax procreation for Fired Up! he agrees it was a difficult decision and the board did a great job trying to be as fair as they could. He also thanked the Commission for moving forward with the architectural landscape firm for the Great Blocks on Mainstreet, he has seen some of the work they have done. He invited the Commission and everyone in the community to get involved with the design process, this will be a design for Main Street that will last for decades so it is critically important that we have input from everyone. Everyone's ideas, suggestions, recommendations and criticism are appreciated.

**Russell Braziel-** He thanked the Lodger's Tax Board for funding the 2017 Rawhide Days, we're already looking forward to it. We had a meeting last Tuesday and there were about fourteen people that showed up for the first meeting. There are already some people that are volunteering to do some jobs.

**Commissioner Moya** asked how the park on Second and Main Street was coming. Mr. Langenegger stated that the property does belong to the city. We previously applied for grants to make it into a park where we planned to have a stage to have music and things like that. We didn't receive the first grant we applied for so we are pursuing other funding opportunities. As part of this Great Blocks program I would like them to look at that and present proposals for what they would recommend, maybe present some drawings and with those drawings we could pursue Main Street Capital monies in the following years. Commissioner Moya stated that the murals are an attraction and asked if there was a way they could have one on the brick wall of the park. Mr. Langenegger stated that is something that they have discussed. We would have to get permission from the property owner but those are things that we can look at as we move forward with the project. Mr. Houser stated that the park would be a part of the Mainstreet design process because it integrates the Depot and Mainstreet. We're going to have to make a decision on the Princess Theatre as well. It is an integral part of the Great Blocks project, whether we do a façade improvement or replace the roof. Commissioner Moya stated that there was a task force and the Mayor has been working very hard on it.

**Rick Haymaker-** He stated that he and his wife have moved to district two. They were actually going to leave Tucumcari and get back to family, but so many people contacted them so we decided to buy another home in Tucumcari. We sold our home in thirty-three days because we were aggressive, creative and fair. Property can be sold in Tucumcari. We brought in a couple from New York that will be living in our home. Tapestry of Sound will be moving from its location, we will be

conducting business from our home. We will no longer be in retail but we will still have services compliant to city ordinances. We will still be members of the Chamber and we will still pay gross receipts tax.

### **Items from Commissioners**

Commissioner Mihm thanked everyone for coming. We had a discussion about ordinances that we've passed and possibly changing those ordinances, I appreciate everyone's input on that and everyone knows what my opinion is. I think it's important to understand that when we do something we really do look intently at what we're doing and how it's going to impact our community. I remain internally optimistic that Tucumcari is going to continue to grow and prosper. Sadly we do have some discomfort whenever we make decisions but in the big picture our goal is to make this a better place to live and so we can all enjoy it. In order to enjoy it we have to have rules, regulations and laws to ensure that people don't encroach on the rights of their neighboring properties but we do have a lot of people in place and a lot of organizations that will assist people that need their help when they can't maintain their properties for whatever reason. There really isn't an excuse we do notify people before that there is an infraction on their property that needs to be corrected. We are notifying them three times which I think is more than ample and I hope going forward that we can all just work together and keep Tucumcari beautiful and make it more beautiful.

Mayor Pro Tem Lumpkin stated that he would like to mention the Elks Lodge 1172, the City of Tucumcari and the fire department that worked hard on putting on the fireworks display that we had. I don't know if there were any incidents but I know it was a beautiful display and it takes a lot of work and appreciate all the people that worked on it. I have quite a few people that are using my ear on the nuisance ordinance and we are not looking to change that ordinance in any way that would hamper its efficiency. There are some parts that the people have asked us to look into and I will continue to look into it. I appreciate the Commission giving me time to work on that. I think Tucumcari is going to grow and working with Lodger's Tax I've seen all the different events that we are having and the effects of those events. The name Tucumcari along with Route 66 is known far and wide now, it's being heard in Europe, Asia, all over the United States and I want to continue with events that continue that widespread publicity for Tucumcari. He thanked everyone for their volunteer work.

Commissioner Moya stated that whenever he looks at the agenda he always sees the financial part of the city missing and asked if there was reason that a monthly financial report is left out. Mayor Litchfield stated that usually happens in a work session. Mr. Langenegger stated that they could start doing a report. The agenda that is in place was in place since I started here and that's what we've been going off of. Ms. Gray stated the agenda was like this prior to her coming to work here but after reviewing some old agendas she believes there were approval of vouchers on the agenda but it is definitely something that she can check into. Commissioner Moya stated that he would like to see it on the agenda. Mr. Langenegger stated that there was a finance board meeting that happens every month that goes over everything. Mr. Dysart stated that they use to do it every month then a Commission decided a quarterly report was enough.

Commissioner Moya stated that there use to be a sign on the corner of Second Street and the Boulevard that said downtown and asked what happened to it. Mr. Langenegger stated that the City still had it, we took it down. Rick and Tony Haymaker generously volunteered to paint it for us because it was old and faded. Once it has been repainted we will go ahead and reinstall it.

Commissioner Gutierrez stated that she would like to remind everyone that the farmer's market has started. It's on Saturdays from 10 am to 12 pm on Tuesdays from 5:30 pm to 7:00 pm at Wailes Park. Sunday the 17<sup>th</sup> the VFW is going to be having a cake walk at 105 E. Main Street from 2:00 pm to 4:00 pm. On July 22<sup>nd</sup> there will be the Quay County 4H Rode being held at the Quay County Fair Grounds Arena, prices are \$4 for adults, children \$2 and programs are \$1. She thanked Ms. Sanders for sharing the information about the book. She stated that the Commission had a good work session and Chief Warner gave them information that will be helpful in the upcoming year. With Fired Up! coming up Mr. Houser is welcoming volunteers. She thanked everyone for coming.

Mayor Litchfield thanked everyone for coming. She stated that she wanted to congratulate the VFW for receiving a flag that was flown over the Capital building. The Elks had a beautiful fireworks display and wished everyone a good evening.

**Adjournment**

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

Litchfield	Moya	Gutierrez	Mihm	Lumpkin
Yes	Yes	Yes	Yes	Yes

Meeting adjourned at 7:09 p.m.

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Ruth Ann Litchfield, Mayor

ATTEST:

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Angelica M. Gray, City Clerk