

**City of Tucumcari
City Commission Meeting Minutes
July 23, 2015**

The Tucumcari City Commission met in a regular meeting on Thursday, July 23, 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; Ralph Lopez, Project Manager; Jim Sewell, Airport Supervisor; Jason Braziel, Chief of Police; Mark Martinez, Project Manager; and Angelica Gray, City Clerk.

Invocation presented by Rick Haymaker, Agape West Church led us in the Pledge of Allegiance.

Public Hearing

Consider and Act Upon Ordinance 1123, Second Reading, an Ordinance amending certain sections of Chapter 13.08 and adding Chapter 13.08B Pretreatment and Industrial Sewer to the Tucumcari Municipal Code pertaining to Public Services for Sewer Use – Mr. Langenegger presented this item to the commission. He stated this ordinance is to implement an industrial wastewater ordinance for the City. It is required by Environment Protection Agency. It will allow us to have restrictions and regulate the amount of waste the industrial users submit to the City and it allows the testing of those materials.

Mayor Lumpkin stated this ordinance will continue to keep Tucumcari industry friendly.

Commissioner Haymaker inquired about page 12, item 2; which states “liquid or vapor with a temperature of higher than 140 degrees”; this would apply to both public and private. He informed the public that they need to keep an eye on their water heater.

Mayor Pro Tem Litchfield made the motion to accept Ordinance 1123 and Commissioner Mihm seconded the motion. Roll Call:

Haymaker	Mihm	Litchfield	Lumpkin	Gutierrez
Yes	Yes	Yes	Yes	Yes

Consideration of Changes for Deletions to the Agenda

Mr. Langenegger stated that Items 6A, 6D, and 6E should be deleted from the agenda. Commissioner Gutierrez made the motion to approve the agenda as amended and Commissioner Haymaker seconded the motion. Roll Call:

Litchfield	Haymaker	Gutierrez	Mihm	Lumpkin
Yes	Yes	Yes	Yes	Yes

Items from Commissioners

Commissioner Gutierrez welcomed everyone this evening. She has received numerous calls regarding the spraying for mosquitoes. She informed everyone that they have begun the spraying this week, however; there are factors that hinder them from spraying; she asked the citizens to do their part to help out.

Commissioner Haymaker thanked everyone for listening on KTNM and QCS for being here. There will be an artist reception of Tucumcari Fine Arts. We will be celebrating their 50th anniversary.

Commissioner Mihm thanked everyone for coming tonight and welcomed the listening audience. We had a very productive work session and addressing the needs of the citizens with the nuisance ordinance.

Mayor Pro Tem Litchfield thanked everyone for coming tonight. She welcomed everyone here for the 4-H Rodeo along with the Vic Breen Golf Tournament. She also welcomed everyone who will be here for the reunion.

Mayor Lumpkin stated he received a card from an anonymous person regarding the speed limit on East Charles Ave. He inquired about this and getting a speed limit needs to be presented to the planning and zoning and police department. He wants this person to know we do look at this and he will act on them.

Approval of Minutes

Commissioner Haymaker made the motion to approve the July 9, 2015, work session notes and Commissioner Mihm seconded the motion. Roll Call:

Lumpkin	Gutierrez	Litchfield	Haymaker	Mihm
Yes	Yes	Yes	Yes	Yes

Commissioner Mihm made the motion to approve the July 9, 2015 commission minutes and Commissioner Haymaker seconded the motion. Roll Call:

Haymaker	Lumpkin	Mihm	Gutierrez	Litchfield
Yes	Yes	Yes	Yes	Yes

Commissioner Haymaker made the motion to approve the July 10, 2015 special commission meeting minutes and Commissioner Mihm seconded the motion. Roll Call:

Mihm	Litchfield	Lumpkin	Gutierrez	Haymaker
Yes	Yes	Yes	Yes	Yes

Commissioner Gutierrez made the motion to approve the July 13, 2015, special commission meeting minutes and Commissioner Mihm seconded the motion. Roll Call:

Haymaker	Mihm	Litchfield	Lumpkin	Gutierrez
Yes	Yes	Yes	Yes	Yes

Ordinances and Resolutions

Resolution 2015-21, Amending Resolution 2010-49, Lease Fees for the Convention Center and the Del Norte Center – Nicole Manley presented this item to the commission. She is requesting that the prices be changed at the convention center. She did ask that we waive the cost for table clothes and napkins. She is requesting that we increase the price at Del Norte by \$25.00. She is also asking for an increase to the deposit to the amount of the rent, it will be an incentive for people to clean up after themselves.

Mayor Pro Tem Litchfield made the motion to accept Resolution 2015-21 as amended and Commissioner Mihm seconded the motion. Roll Call:

Litchfield	Haymaker	Gutierrez	Mihm	Lumpkin
Yes	Yes	Yes	Yes	Yes

Resolution 2015-22, Resolution Regarding Approval of New Mexico Conservation Re-Leaf Planting Program Application for 2015-2016 – Mark Martinez presented this item to the commission. He stated this is a tree planting grant from the Forestry Division. The plan is to plant 19 trees at the skate park at the Recreation Center. This grant is up to \$6,000 with a 20% in-kind match. He stated most of our grants are in-kind with no money out of our budget and is strictly our time and tools. It is due August 15, 2015.

Commissioner Mihm made the motion to approve Resolution 2015-22 and Commissioner Gutierrez seconded the motion. Roll Call:

Lumpkin	Gutierrez	Litchfield	Haymaker	Mihm
Yes	Yes	Yes	Yes	Yes

City Manager’s Report

Mr. Langenegger stated the mosquito problem is being worked on. They have begun spraying the residential areas this week and started on the south side of town and going north. He stated staff can only spray the pesticide when the weather conditions are ideal; the winds have to be 10-12 mph with no gust, cannot spray before or after rain to avoid run off and the pesticide has to be sprayed at night to prevent contact with citizens, which narrows down the time we can spray.

Last Tuesday we had pre construction conference with our engineers and contractors for our Sands Dorsey project. The contractors are working on the detailed demolition plan and it will be submitted to the State Environment Department today. Our estimate is we will get the plan approved within 5 days; however, it is depending on when it is approved. Once approved, the City will issue a Notice to Proceed and the demolition will begin. We are expecting the demolition to begin around the beginning of August or the first of September. During the demolition, the area will be fenced in and we are asking citizens to stay away from the area for their safety. We will have Second St. blocked off from the alley to Main Street.

Last Thursday he and Dennis Dysart met with Paul Cassidy with RBS Capital to discuss the City's current debt and opportunities for refinancing and reducing interest rates on some of our debt. Mr. Cassidy has assisted the City in the past by compiling a debt profile for the City and outlining methods to reduce debt and interest. This information is also needed for funding for big projects such as our wastewater treatment plant. We use it to show that the City has sufficient capacity for the loan portions of the funding that we receive through USDA. It appears the City is in a good position financially. Mr. Cassidy will be making recommendations on how to move forward.

We have began our annual audit and the commission and staff has met with the auditor at the entrance conference last Tuesday. He thanked the financial staff for ensuring that we have things in order to move forward as early as possible. It is good that we are staying ahead of the timeline.

Yesterday Charlie Sandoval, Gary Cooper and himself met with Karen Torres and Steve Aconpa with the Office of State Engineer. We discussed the City's wells and went out to several wells and measured static and pumping levels. The State Engineer's Office is working very well with the City to ensure that the well permit that was advertised for Lopez Well will not have a negative impact to City wells. We made the decision to not protest the wells. He thinks it is a good sign that the State Engineer's Office is working with us to make an educated decision on how to move forward with that application.

There will be a town hall meeting on Thursday with Gen. Griego and Gen. Salaz with New Mexico National Guard to discuss the plan regarding the armory in Tucumcari. The Guard informed us they are considering consolidating armories and moving staff in Tucumcari to Santa Rosa. When they met with them they were told the decisions are not final and they are still considering their options.

He thanked the Water staff on July 15th they had a major water leak on the corner of Hines and Choctaw and the entire crew got called out in the middle of the night and they were up until 2:30 in the morning ensuring the leak was fixed. Our citizens are lucky to have such a dedicated staff taking care of the utilities and he appreciates what they do.

Bids and Contracts

Requesting Approval of Bid Evaluation & Recommendation for the Whitmore Ave. NMDOT MAP Project- Ralph Lopez presented this item to the commission. He stated on July 14th the City received bids for this project. They were from RL Leeder and Pacheco, who was the lower apparent bid at \$210,355.88. The bids have been reviewed by the engineer and they are certified bids.

Commissioner Haymaker made the motion to approve the request for bid evaluation and recommendation for Whitmore Ave. and Commissioner Mihm seconded the motion. Roll Call:

Haymaker	Lumpkin	Mihm	Gutierrez	Litchfield
Yes	Yes	Yes	Yes	Yes

Requesting Approval to Accept Increase for Additional Engineering and Construction Services with Forsgren Associates Inc., for Well #3 – Mark Martinez presented this item to the commission. He stated the cost increase which is an amendment to the original contract at \$54,000

for engineering services for well #8 rehab, was extended for up to 3 wells. We are trying to drill Well #3. To do so it will be outside the scope of work of the original contract. The cost increase is for \$5,966.00.

Commissioner Haymaker asked Mr. Martinez if he knew what depth Well #8 hit water. Mr. Martinez answered he does not know but will find out. He stated that based off receiving the Well 8 permit we cannot exceed the original 305 ft. and we cannot exceed 125 gpm.

Mayor Pro Tem Litchfield made the motion to accept the cost increase for the original bid of \$54,000 and Commissioner Mihm seconded the motion. Roll Call:

Mihm	Litchfield	Lumpkin	Gutierrez	Haymaker
Yes	Yes	Yes	Yes	Yes

Old Business

Acknowledgment of Senior Center Advisory Board Minutes for May 5, 2015 – Mayor Lumpkin acknowledged these minutes.

New Business

Requesting Approval of Small Equipment Space Lease with Federal Aviation Administration – Jim Sewell presented this item to the commission. He stated this is the electronics that FAA has at the airport which includes VOR, and the automated weather system. This is a ten year lease with an additional increase to the monthly payment.

Mr. Langenegger stated the FAA utilizes two rooms at the airport and the FAA does provide a minimal payment to the City but the services they provide offset the cost.

Commissioner Haymaker made the motion to approve this request and Mayor Pro Tem Litchfield seconded the motion. Roll Call:

Haymaker	Mihm	Litchfield	Lumpkin	Gutierrez
Yes	Yes	Yes	Yes	Yes

Requesting Approval of Community DWI (CDWI) Project – Jason Braziel presented this item to the commission. He stated this is an annual grant. The grant is for \$1,213 at 100%. Part of it is for public information projects and overtime for enforcement of DWI and traffic laws. Mayor Lumpkin appreciates him bringing \$1,213 to the City.

Commissioner Gutierrez made the motion to accept the approval of DWI Project and Commissioner Mihm seconded the motion. Roll Call:

Litchfield	Haymaker	Gutierrez	Mihm	Lumpkin
Yes	Yes	Yes	Yes	Yes

Requesting Approval of Mutual Release and Hold Harmless Agreement with Robert Hengstenberg – Mr. Langenegger presented this item to the commission. He stated at a prior meeting we discussed taking over the property of Sands Dorsey. This release is stating we are

releasing the liens upon Mr. Hengstenberg releasing the property to us and both parties releasing liability from each other off the transaction. We were waiting to take over the Sands Dorsey until we had the funds and the ability to remove the nuisance. We have the funds in place and the project is started and we will be moving forward with removing the property. This allows the City to take this property and saves us from going through a court battle to get the property. Based off the timeline he feels this is the most efficient matter to take over the property and he does not feel it is worth the City spending any other funds to take over the property in the condition it is in.

Commissioner Haymaker made the motion to approve the Mutual Release and the Hold Harmless Agreement and Commissioner Gutierrez seconded the motion. Roll Call:

Lumpkin	Gutierrez	Litchfield	Haymaker	Mihm
Yes	Yes	Yes	Yes	Yes

Requesting Approval to combine part time positions and adding a full time position – Mr. Langenegger stated we have two part time positions currently within the City. The first one is with animal control and the other at the wastewater plant. The wastewater plant position is to help out with things the licensed staff cannot do while they are busy. The part time position for animal control is to do animal control and help on weekends and evening hours. We have had great difficulty in filling this position but we find that people will take the part time position until something better comes along. He would like to combine these positions. The animal control kennel is located at the wastewater plant; if we could create a full time position that will work at the wastewater plant and assist with the animal control duties. There is a small increase based on insurance cost. The total cost increase to animal control will be \$9,556 and the increase to wastewater will be \$12,092.

Mr. Langenegger stated he is also requesting a new position for a second code enforcement officer. We are looking at implementing the new nuisance ordinance once that comes into place we will have more work on top of what is already there. Giving the current work, if the nuisance ordinance does not pass, we still have plenty of work load to keep two people busy, however if it does pass we will definitely need the new position.

Commissioner Mihm made the motion to approve the combined part time position and create a full time position and Commissioner Haymaker seconded the motion. Roll Call:

Haymaker	Lumpkin	Mihm	Gutierrez	Litchfield
Yes	Yes	Yes	Yes	Yes

Public Comments

Russell Braziel – He stated as president of the Chamber of Commerce he wanted to inform us of their upcoming events. The Chamber is in the process of clear coating our murals. We are working with Mark Martinez at planning and zoning for a permit to put down our Rte. 66 shields. Joe’s Back in the Day will have his ribbon cutting at 11:00 a.m. Also, the 4-H show will start on July 25th. The 45th Rattler Reunion will start on July 30th.

Items from Commissioners

Commissioner Mihm thanked everyone for coming and hopes everyone has a good weekend.

Mayor Pro Tem Litchfield stated she likes having the Farmer’s Market at the Railroad Depot. She thanked everyone for their hard work at the City; she thinks everything is going well.

Commissioner Gutierrez hopes everyone has a great and safe weekend. She also thanked everyone for their hard work.

Commissioner Haymaker thanked everyone for coming tonight. He reiterated what Mayor Pro Tem Litchfield stated in regards to the Farmer’s Market.

Mayor Lumpkin stated the City is spraying for the mosquitoes. He thanked everyone for their patience.

Adjournment

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

Mihm	Litchfield	Lumpkin	Gutierrez	Haymaker
Yes	Yes	Yes	Yes	Yes

Meeting adjourned at 7:01 p.m.

Robert C. Lumpkin, Mayor

ATTEST:

Angelica M. Gray, City Clerk