

**City of Tucumcari  
City Commission Meeting Minutes  
August 14, 2014**

The Tucumcari City Commission met in a regular meeting on Thursday, August 14, 2014 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. Robert Lumpkin appeared by Skype.

City Staff members present were: Charlie Sandoval, Assistant City Manager; Vicki Strand, Community Development Director; Angelica Gray, City Clerk; Dennis Dysart, Finance Director; Ralph Lopez, Project Manager; Chief of Police, Jason Braziel, Officer Paul Bell.

Invocation presented by John Barrett, Center Street United Methodist Church, and Zach Grusa led us in the Pledge of Allegiance.

**Consideration of Changes for Deletions to the Agenda**

Commissioner Mihm made the motion to approve the agenda as amended and Commissioner Haymaker seconded the motion. Roll Call:

Haymaker	Mihm	Litchfield	Lumpkin	Gutierrez
Yes	Yes	Yes	Yes	Yes

**Items from Commissioners**

Commissioner Gutierrez welcomed everyone tonight. She also welcomed Gayle Houser, the new executive director of Mainstreet.

In addition, she addressed the issue Mr. LeCompte brought to the commission and stated there are no answers as of yet however; she will get in touch with Mr. LeCompte once there are answers.

Commissioner Haymaker also welcomed everyone else

Commissioner Mihm stated he hopes all concerns can be addressed. He looks forward to a full house more often.

Commissioner Litchfield welcomed everyone. She thanked everyone for their patience in her grandson leading us in the pledge. He is working toward badges for his Boy Scout Troop.

In addition, she had citizens inquiring about renewing the “Yard of the Month.” She is not sure if it was the City or Chamber of Commerce who sponsored it however, she would like to look into it.

Also, she reminded everyone of the County Fair.

Mayor Lumpkin thanked everyone for coming. In addition, he wished all students a successful school year.

## **Approval of Minutes**

Commissioner Haymaker made the motion to approve the Finance Board Minutes of July 22, 2014 and Commissioner Mihm seconded the motion. Roll Call:

Gutierrez	Haymaker	Mihm	Litchfield	Lumpkin
Yes	Yes	Yes	Yes	Yes

Commissioner Litchfield made the motion to approve the July 24, 2014, Commission Meeting Minutes and Commissioner Mihm seconded the motion. Roll Call:

Lumpkin	Gutierrez	Haymaker	Mihm	Litchfield
Yes	Yes	Yes	Yes	Yes

## **Ordinances and Resolutions**

**Ordinance 1114, Second Reading–Adopting Ordinance 1114 Chapter 2.64 of the Municipal Code Pertaining to Personnel** – Ms. Strand stated this is the second and final reading for this Ordinance. She informed the commissioners they had received a copy of the changes at a prior meeting.

Commissioner Mihm made the motion approve the second reading of Ordinance 1114 and Commissioner Litchfield seconded the motion. Roll Call:

Litchfield	Lumpkin	Gutierrez	Haymaker	Mihm
Yes	Yes	Yes	Yes	Yes

**Resolution 2014-30, Authorizes the Adoption of Submission ICIP-** Ms. Strand presented this matter to commissioners. She informed the commission that a public hearing had taken place on the matter a few weeks ago. This Resolution will be provided at the time the ICIP is submitted.

Commissioner Litchfield made the motion to approve Resolution 2014-30 and Commissioner Mihm seconded the motion. Roll Call:

Mihm	Litchfield	Lumpkin	Gutierrez	Haymaker
Yes	Yes	Yes	Yes	Yes

## **City Manager’s Report**

Assistant Charlie Sandoval thanked everyone who spruced up Tucumcari for the Rattler reunion including the street/parks department, YCC boys, and the citizens who cleaned up their properties.

He stated the pool is now closed and I would like to thank the lifeguards for their work. He stated a pump needed to be replaced and the City lost one week of swimming, however; it was a successful summer.

He thanked Chris Gries and Mike Esquibel for working with the YCC boys and teaching them. The boys did great work for the City throughout the town.

He stated the City received a copy of the railroad easement for the water main from the Five Mile Park. He stated this process was started on December 5, 2013 and received the easement on August 8, 2014. He stated although we are not sure what will happen we are cautiously optimistic that it will get it done.

Mayor Lumpkin added the staff worked hard to acquire the \$2.4 million grant and at 100% grant and he appreciates their hard work.

### **Bids and Contracts**

**Requesting Approval of Amendment #3, Agreement with CDM Smith** – Mayor Lumpkin stated CDM Smith is the Engineering Firm that works with the City’s water issues. This matter was discussed during today’s work session. He stated CDM Smith will conduct a scientific study on effects of our wells around our community. This will add an additional \$8,000.00 to CDM Smith.

Commissioner Haymaker made the motion to approve the Agreement and Commissioner Gutierrez seconded the motion. Roll Call:

Haymaker	Mihm	Litchfield	Lumpkin	Gutierrez
Yes	Yes	Yes	Yes	Yes

**Requesting Approval of Community DWI Grant Application** – Officer Paul Bell presented this to the commission. He stated this CDWI grant is for \$916.00 which is used for public information and education. He stated this grant is not only for DWI but for safety. He stated with the new no texting law he will be utilizing this grant to educate people on this new law.

Commissioner Gutierrez made the motion to approve submission of application and Commissioner Litchfield seconded the motion. Roll Call:

Gutierrez	Haymaker	Mihm	Litchfield	Lumpkin
Yes	Yes	Yes	Yes	Yes

### **Old Business**

Acknowledgment of Library Board Minutes from June 23, 2014 – Mayor Lumpkin acknowledged the minutes and thanked the volunteers who serve on City boards.

### **Public Comments**

**Joseph Ysco** – He stated that he is begging the commission to pass an ordinance to ban the selling of the synthetic drug called “spice”, “pep”, being sold at local smoke shops. He stated according to State Rep. Dennis Roch, State Bill 141 was passed in regular session in 2011, which enacted a statewide ban and violation of anyone possessing or distributing these substances. He stated this law has already been in effect, now he is asking the commission to pass an ordinance.

**Doyle Frasier**– He is the manager of Ministry of Hope. He stated he has a severe problem with citizens dropping off their unwanted furniture. He stated there are cameras up to detour,

however; someone stole two of the cameras. He stated although the police department knows who stole the cameras, he still does not know what the police department has investigated. He stated when he hauls this to the landfill, he needs to pay for dumping fee. They are non-profit organization and 100% volunteers. He invited the commissioners to visit the Ministry.

Charlie Sandoval stated that when Mr. Powers returns, he will discuss the matter with him. Mr. Frasier stated that Mr. Powers sent city employees to pick up the furniture and indicated to call him when needed. He stated he has attempted to call Mr. Powers and has not received a returned call.

Mayor Lumpkin stated he is not opposed to waiving the dumping fee for Ministry of Hope. Although he does not want to set the precedence of waiving fees, he thinks Ministry of Hope has earned the right to have help with the dumping fees.

**Gary Montano** – He stated he is a citizen from District Two and the citizens in that district are concerned with their current water situation, which was discussed in the work session.

He referred to the letter regarding Interstate Stream Commission and their findings in regards to the Ute Lake Reservoir.

He read three bullet points from Amy Hause's letter dated September 27, 2011.

He continued with stating the cost of the pipeline will cost \$4,000,000.00.

Mr. Montano read, in parts, a letter prepared by Mayor Lumpkin.

He stated the issue with EDC, with so much information given at a meeting the layman who does not know the issues, they do not know the concept of what is going on. He requested that the City have a public meeting to discuss this issue along with the transparency with EDC.

He stated per an article by Steve Hansen with Quay County Sun, August 13, 2014, he states that Pat answers to an 11 member board that includes representatives from City, County and local area business interests. He stated the City gives EDC \$50,000.00 per year and the county is now having an issue with a \$50,000.00 payment to EDC. He stated there is a non-disclosure agreement from EDC and the City when it is a non-profit company. He stated with the non-transparency, it seems like things are being hidden from the citizens.

Mayor Lumpkin addressed Mr. Montano's issues. He stated there has been several meeting regarding these issues. He stated the issues with ISC have been public. He stated the City does not want to hook up to ISC's intake structure and we want a minimal pool at the reservoir.

Mayor Lumpkin stated ISC mandated the City to hook up to their intake structure. He has argued with ISC on several occasions. He stated the City has an attorney working on these issues. He stated the letter prepared was mailed to all elected officials who represent eastern New Mexico.

Mayor Lumpkin stated as far as the transparency with EDC, he stated he believes in transparency and there is not a non-disclosure agreement. He stated EDC is a non-profit organization and they do not have to comply with the same transparency standards as Tucumcari or the County.

However, with that said, if he was asked what was going on with EDC, he would not want to disclose something that would hamper any company coming to Tucumcari. However, regarding the budget for EDC, he will share anything he knows with anyone. He believes in full disclosure.

**Pat Vanderpool** – He stated he would like to discuss the current projects. He stated he currently has the following projects: Ongoing cheese factory expansion, Bob Hockaday manure to methane project, the joint projects with MCC to build a marina and a special event center, and our recent real property incentive project. He stated there are four current clients in the real property incentive project, which includes a legal services company, a salon, a naturopath, and a small manufacturer.

He stated he feels compelled to respond to the KVII exposé on transparency in Tucumcari. He stated he has provided the commissioners with two documents pertaining to this story. He stated it was not real reporting, it was pure theater with no basis in fact. It bordered slander and defamation of character and was an attack on Tucumcari originated by a local resident and elected official. The assertion by KVII News Center that EDC operates “in the shadows” is pure fiction. He stated it is easy to know what EDC does, one just has to pay their dues and attend the meetings, it’s that simple.

**Daniel Garcia** – He stated that he served on the library board years ago. He would like to meet with Library liaison, John Mihm, regarding the lack of Spanish material at the local public library.

### **Items from Commissioners**

Commissioner Litchfield thanked everyone for coming out tonight. She thanked everyone for their public comments. She also thanked Officer Bell and Chief Braziel for informing the citizens of the no texting law.

Commissioner Mihm thanked everyone for their comments. He thanked Pat Vanderpool for clarifying the EDC situation.

Commissioner Haymaker thanked everyone for coming out. He stated regarding the transparency of Tucumcari never ceases to amaze him. He has always been given the information he has requested. It is his opinion, that Tucumcari is very transparent.

He stated that regarding Ministry of Hope, he would like to see a voucher system where it is signed by Mr. Frasier and approved by the commission. He thanked John Barrett for the invocation and Zach Brusa in leading us in the Pledge of Allegiance.

Commissioner Gutierrez thanked Joseph Ysco for bringing this concern to the commission.

She stated regarding Ministry of Hope, she did address this concern and hopes it will be addressed again.

She stated the 26-29<sup>th</sup> we have the New Mexico Municipal League and three commissioners will be attending this conference and rescheduled the commission scheduled for August 28, 2014 will be rescheduled for August 21, 2014 at 6:00 p.m.

She asked everyone to be aware of school zone areas and the safety of the children.

Mayor Lumpkin addressed Mr. Montano and stated that if the letter he read is in fact the letter he wrote, he does not mind if Mr. Montano shares the letter with the citizens of Tucumcari.

**Adjournment**

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

Litchfield	Lumpkin	Gutierrez	Haymaker	Mihm
Yes	Yes	Yes	Yes	Yes

Meeting adjourned at 6:51 p.m.

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Ruth Ann Litchfield, Mayor Pro Tem

ATTEST:

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Angelica M. Gray, City Clerk