

**City of Tukumcari
City Commission Meeting Minutes
December 11, 2014**

The Tukumcari City Commission met in a regular meeting on Thursday, December 11, 2014 at 6:00 p.m. in the City Commission Chambers, Members present constituting a quorum were: Ruth Ann Litchfield, Rick Haymaker, Amy Gutierrez, John Mihm, and Robert Lumpkin, who appeared by Skype.

City Staff members present were: Jared Langenegger, City Manager; Angelica Gray, City Clerk; Dennis Dysart, Finance Director; Mark Martinez, Project Manager; and Jason Braziel, Chief of Police;

Invocation presented by Pastor Rick Haymaker with Agape West Church, and Chief of Police, Jason Braziel led us in the Pledge of Allegiance.

Consideration of Changes for Deletions to the Agenda

Mr. Langenegger asked if that Item 7B be deleted from the agenda.

Mayor Pro Tem Litchfield made the motion to approve the agenda as amended and Commissioner Mihm seconded the motion. Roll Call:

Lumpkin	Gutierrez	Litchfield	Haymaker	Mihm
Yes	Yes	Yes	Yes	Yes

Items from Commissioners

Commissioner Mihm thanked everyone for coming tonight. He thanked the Chamber of Commerce for their great work in putting the parade and the reception together.

Mayor Pro Tem Litchfield also thanked everyone for coming tonight and thanked everyone who supported the dinner for Mayor Lumpkin and his daughter Shannon Lumpkin.

Commissioner Gutierrez welcomed everyone for being here tonight. She also informed everyone that there was a great turnout at the Toy Run. She thanked Scooter Yocum and Steve Gutierrez for their help with the Toy Run.

Commissioner Haymaker welcomed everyone tonight. He also thanked KTNM for airing this meeting on the air. He gave a shout out to the Quay County Sun and Steven Hansen for the well done article in the newspaper. He also attended the Economic Development Corp. meeting and he added they have great projects started.

Mayor Lumpkin thanked everyone for coming tonight. In addition he thanked everyone for their effort in helping his family. He also thanked the Fire Department and Police Department for their efforts during the parade.

Approval of Minutes

Commissioner Haymaker made the motion to approve the November 20, 2014, commission meeting minutes and Commissioner Mihm seconded the motion. Roll Call:

Haymaker	Lumpkin	Mihm	Gutierrez	Litchfield
Yes	Yes	Yes	Yes	Yes

Ordinances and Resolutions

Resolution 2014-37, Authorizing City Manager use of Visa Credit Card – Angelica Gray, City Clerk presented this item. She stated the City currently has a credit card established at Citizens Bank. We currently have our former City Manager, Doug Powers, as a designated authorized signatory and she is requesting the commission to approve changing that from Mr. Powers to our new city Manager, Jared Langenegger and leaving her as an additional authorized signatory.

Mihm	Litchfield	Lumpkin	Gutierrez	Haymaker
Yes	Yes	Yes	Yes	Yes

Resolution 2014-38, NMDOT for time extension of 2014 Park Street Construction Project – Mark Martinez with Community Development presented this item. He stated the deadline for the project is December 31, 2014 and he is asking for an extension. He stated the original paperwork was misplaced at the State's end, which caused the delay. He added there will be no additional cost. He stated the cost of the grant is \$44,980 with NMDOT's share being \$33,735; and the City's match is \$11,245, which is all in-kind.

Mayor Pro Tem asked how long this project will take. Mr. Martinez stated this extension is for an additional year or until December 31, 2015.

Commissioner Mihm made the motion to approve Resolution 2014-38, and Mayor Pro Tem seconded the motion. Roll Call:

Haymaker	Mihm	Litchfield	Lumpkin	Gutierrez
Yes	Yes	Yes	Yes	Yes

City Manager's Report

Mr. Langenegger stated it has been brought to the City's attention that someone is calling hotels and trying to say they are delinquent on the water bills and requesting their credit card information or checking information otherwise their water service will be shut off. He stated the City will not call anyone and ask for this information. In addition, he added the City does not accept credit cards. He stated he has the Chief of Police looking into this and there has been a public notice sent to Quay County Sun and the radio station.

He stated he met with Dr. Newsom and discussed how the City and the College could work together. They discussed the possibility of the development of a small business incubator and a partnership in animal shelter vet tech program, along with possible partnership with the fire

department in starting a fire science program at the College. He stated we are trying to come up with ways on how the City and the College can grow together.

He stated he was contacted by EPA regarding the City's discharge permit for the wastewater plant. He stated we are working toward the renewal of that permit, which should be completed in the next calendar year. He stated with that renewal there will be more stringent restrictions on discharge limits for nitrogen and phosphorus. He stated the purpose of the contact was to see how the City was going to meet those restrictions. He stated right now he is not sure the City will be able to meet those restrictions, however; we are working with the EPA to give us the timeframe to come up with a solution. He stated right now they are only asking for our plan. He stated they also discussed going to 100% reuse of wastewater, which would be the most efficient way of getting around the permit because we would not have any water going into the U.S.

He also met with Leonard Lauriault, with NMSU, and they discussed their use of the wastewater and possibilities we can partner with them and do 100% reuse. He stated there are issues that come with the permit such as their permit does not allow them to put the water on frozen ground. He will call the City of Clayton because they have gone 100% reuse and get more information.

He stated he had a good meeting with NMED and EDC, at the state level, and Mainstreet organization, both local and state level regarding the Sands Dorsey building. He stated they have come forward with possible funds, a loan program, and certain grants we are looking at. He stated they presented good information as to how to move forward and redevelopment of that site in the future. He stated we are contacting WHPacific, who did the last study on that site. We are asking them to update the study. He stated there has been some changes with the cost. Initially we thought we were going to Moriarty however; now Clovis will be accepting hazardous materials. He stated he has a follow up meeting with them in January.

He stated he met with Donzil Worthington from Forsgren and he is an engineer contracted with our water projects. He gave them an update on where he is at on the projects. He stated Mr. Worthington discussed the work they have done for the City and other municipalities. They discussed the possibility of looking at renewal energy and putting solar cells to power City buildings or City operations. Mr. Worthington informed him there are municipalities going into public private partnerships and putting in solar farms at the wastewater plants which operate the pumps and provide the electricity for the pumps. He stated occasionally the company can sell that power to the power company.

He stated they had their EDC meeting on Tuesday and they will be presenting two applications for new businesses at our next commission meeting. He stated if all goes well we may have some new businesses in Tucumcari, which will help our gross receipts taxes.

He stated he held his first open office hours last Friday. The point of that was to give people the opportunity to express their concerns or discuss ideas. He stated he had four people come in and visit with him. He will try to set this up the first Friday of every month.

Mayor Lumpkin stated our area has excellent solar energy resources. He stated solar energy is something we have discussed in the past with Tucumcari Housing and Chaparral. He stated there is an update cost for solar energy however, they eventually pay for themselves.

Mayor Lumpkin complimented Mr. Langenegger for his efforts into Sands Dorsey. He stated we are still looking at getting Sands Dorsey down and build something in its place at a least amount of cost to the people and as quickly as possible. He has talked about a referendum to the people to reassign the spending of a Ute Lake water tax, temporarily. In addition, we have looked at grants from different agencies.

Bids and Contracts

Request Approval of Forsgren Engineering Agreement for NMFA PER for Water System Study – Mark Martinez presented this item to the commission. He stated he is requesting approval for this agreement for the preliminary engineering report which is necessary to qualify us for funding. This funding will help us with current and future water projects. He stated this is 100% grant with no cost to the City.

He stated the Drinking Water Bureau has funding for water projects and if we act on this agreement quickly the City may get funding as early as next year.

Commissioner Mihm made the motion to approve the Forsgren Engineering Agreement for NMFA PER for Water System Study and Commissioner Haymaker seconded the motion. Roll Call:

Litchfield	Haymaker	Gutierrez	Mihm	Lumpkin
Yes	Yes	Yes	Yes	Yes

Old Business

Acknowledgment of October 28, 2014 Tucumcari Planning Commission Minutes – Mayor Lumpkin acknowledged the Tucumcari Planning Commission Minutes for October 28, 2014.

Acknowledgment of November 25, 2014, Tucumcari Senior Center Advisory Board Minutes - Mayor Lumpkin acknowledged the Tucumcari Senior Citizens Advisory Board Minutes from November 25, 2014.

New Business

Request to Reject All Bids for Well #8 Rehab – Mark Martinez presented this item to the commission. Mr. Martinez stated the rejection of bids is recommended by Forsgren Engineering and the New Mexico Environment Department. He stated the issues are that the bids were higher than expected. He stated the lowest bid was \$70,000 more than what the engineers estimated. In addition, after further review by the NMED they found both bids were non-responsive in regards to the contractor responding negatively to Federal form XP-215 which discusses the utilization of Minority and Women Business Enterprises and Small Business Rural Areas. He state the NMED response to bids was that in order for the bids to be awarded, the contractor must have answered yes to all of the XP-215 questions otherwise the bids must be rejected regardless of bid amount.

Commissioner Haymaker made the motion to reject all bids for Well #8 Rehab and Commissioner Gutierrez seconded the motion. Roll Call:

Lumpkin	Gutierrez	Litchfield	Haymaker	Mihm
Yes	Yes	Yes	Yes	Yes

Request Approval of NMDOT Agreement Amendment for Time Extension of 2014 Park Street Construction Project – Mark Martinez presented this item to the commission. He stated this is regarding the same project the resolution was passed on. He stated it is asking for approval to the timeline only and will not affect the project costs.

Commissioner Mihm made the motion to the NMDOT agreement amendment for time extension of 2014 Park Street Construction Project and Commissioner Gutierrez seconded the motion. Roll Call:

Haymaker	Lumpkin	Mihm	Gutierrez	Litchfield
Yes	Yes	Yes	Yes	Yes

Request Approval of Community DWI (CDWI) Project- Jason Braziel, Chief of Police, presented this matter to the commission. He stated this is a yearly grant and is for \$916.00 at 100% grant. He stated this year this grant will be used for public information and education.

Mayor Pro Tem Litchfield made the motion to approve the CDWI grant agreement and Commissioner Mihm seconded the motion. Roll Call:

Mihm	Litchfield	Lumpkin	Gutierrez	Haymaker
Yes	Yes	Yes	Yes	Yes

Request Approval of Advisory Board Members Sue Gholson, Ricci Johnson, ML Kuykendall, Phyllis Garcia, and Barbara Stallcup. Mr. Langenegger presented this matter. He stated this is for the senior center advisory board. He stated Ms. Stallcup and Ms. Garcia are the two new members. He added this advisory board does a great job helping at the Senior Center. They have fundraisers and have set aside money to paint the senior center. All their work is appreciated.

Mayor Pro Tem Litchfield made the motion to approve the advisory board members for the Senior Center and Commissioner Mihm seconded the motion. Roll Call:

Haymaker	Mihm	Litchfield	Lumpkin	Gutierrez
Yes	Yes	Yes	Yes	Yes

Request Approval of Advisory Board Members are Judith Assini, Patrick Benavidez, Charlotte Chavez-Marquart, and Matthew Montoya – Scott Simpson presented this matter to the commission. He stated these members will be replacing members who have moved or their terms have expired. Ms. Assini will be the senior member, Patrick Benavidez coaches in the City leagues, Charlotte Chavez Marquart deals with the adult recreation, and Matthew Montoya is currently a referee for City league games.

Mayor Pro Tem Litchfield made the motion to approve the advisory board members for the recreation center and Commissioner Mihm seconded the motion. Roll Call:

Litchfield	Haymaker	Gutierrez	Mihm	Lumpkin
------------	----------	-----------	------	---------

Yes Yes Yes Yes Yes

Discussion of Mayor Contacts – Mayor Lumpkin wants people to know how to make contact with him when he returns to Tucumcari. He plans on returning on December 17th. He stated his primary contact number is 575-403-8909 and his email is roberttucnm@msn.com.

Request approval of Donated Properties – Mr. Langenegger stated we have two properties that were offered to the City. The first one is at Railroad Ave. & 9th Street, which are two vacant lots. He thinks with these properties being on Main Street they can be used for economic development and does not see any issues with the City getting those properties donated.

He stated the second property is located 901 E. Turner and this property does have a house, garage and buildings on it. He asked our facility maintenance to look at it and Chris Gries and Michael Esquibel stated the outside looks good, however; there are structure issues and they did not feel that it could be repaired. He stated this property is being offered to us by Wells Fargo along with \$10,000 to go along with the property. However, with his discussion with Mr. Gries he does not think \$10,000 would be enough for the demolition costs and we would still incur a cost to the City. He stated his recommendation would be not to accept the 901 E. Turner property donation.

Mayor Lumpkin wants to follow Mr. Langenegger’s recommendation in regards to the 901 E. Turner property donation, however; he wants to send a cordial thank you letter to Wells Fargo Bank.

Commissioner Mihm inquired on whether the vacant properties have tanks on it. Mr. Langenegger stated we can have our staff look at records or go to the county and double check. Commissioner Mihm stated we would be responsible for the removing of any tanks if there was a gas station on the property. Commissioner would like to approve the property with the contingency that we check on whether there are tanks or not.

Commissioner Mihm made the motion the City accept the vacant property and reluctantly deny the reception of the occupied property just pending the City checking what the original property was and Mayor Pro Tem Litchfield seconded the motion. Roll Call:

Lumpkin	Gutierrez	Litchfield	Haymaker	Mihm
Yes	Yes	Yes	Yes	Yes

Requesting Approval of Community Service Agreement - Mr. Langenegger presented this item to the commission. He stated he received this request from the New Mexico Works Program. This program puts these individuals to work in order to receive their benefits. He stated this particular gentleman wanted to work at the cemetery. He stated we do have plenty of work at the cemetery. When he looked at this agreement, the City would not be liable and the work program holds their own insurance and we do not compensate the worker. He stated the City makes sure they have a job and we sign their timesheet and give them a place to learn work skills.

Commissioner Haymaker made the motion to approve this community service agreement and Commissioner Mihm seconded the motion. Roll Call:

Haymaker	Lumpkin	Mihm	Gutierrez	Litchfield
Yes	Yes	Yes	Yes	Yes

Public Comments

Dr. Newsom –He stated the College has received good news in the last week that not only is the College showing student growth for the second semester in a row, they have also received from the Department of Education that the College shows they have one of the highest graduation rates within community colleges. In addition, they have been named by a private agency, as the #7 most affordable community college in the United States. He wants to thank the City, Mayor, Commission, and the County for their collaboration because without the collaboration we would not be able to provide a high quality and affordable education to their students.

Jason Brazier – He wants to thank city employees Frank Elebario and Alex Arias for their help in the parade.

James Dow – He thanked the city employees for assisting in getting the decorations up at the depot in preparation of the Mainstreet project. He reported that he feels from his personal viewpoint they have made significant strides to get the Museum up and running. They are currently pursuing grants. He thinks it may be possible to have the museum up by the end of the year. He stated a model train was displayed for the reception after the parade of lights and was received very well. He added the website is in the works and hopes to have it up by the middle of January.

Items from Commissioners

Commissioner Haymaker thanked everyone for coming out tonight. He also thanked Mr. Dow, Dr. Newsom, and Mark Martinez. He reminded everyone we will have a meeting on December 18th.

Commissioner Gutierrez thanked all departments within the City and it is evident they are working together. She congratulated Dr. Newsom for his news.

Commissioner Mihm thanked everyone for coming tonight and congratulated Dr. Newsom and thanked the museum board for helping with the event last weekend.

Mayor Pro Tem Litchfield thanked Clara Rey for getting the Senior Center in compliance. She thinks the presentation Mr. Langenegger put together at the work session was a great one. She thanked Dr. Newsom and Mr. Dow.

Mayor Lumpkin reiterated what the commissioners said regarding the Railroad Museum, he congratulated Dr. Newsom, and also thanked Clara Rey for her efforts at the Senior Center.

Executive Session

Mayor Pro Tem Litchfield made the motion to convene into executive session pursuant to the Open Meetings Act §10-15-1(H)(2) limited personnel matters regarding Fire/EMS Department and Commissioner Mihm seconded the motion. Roll Call:

Mihm	Litchfield	Lumpkin	Gutierrez	Haymaker
Yes	Yes	Yes	Yes	Yes

Convened into executive session at 7:00 p.m.

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

Haymaker	Mihm	Litchfield	Lumpkin	Gutierrez
Yes	Yes	Yes	Yes	Yes

Commission reconvened into regular session at 8:05 p.m.

Adjournment

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

Litchfield	Haymaker	Gutierrez	Mihm	Lumpkin
Yes	Yes	Yes	Yes	Yes

Meeting adjourned at 8:09 p.m.

Ruth Ann Litchfield, Mayor Pro Tem

ATTEST:

Angelica M. Gray, City Clerk