City of Tucumcari
City Commission Meeting Minutes
June 26, 2014

The Tucumcari City Commission met in a regular meeting on Thursday, June 26, 2014 at 6:00 p.m. in the City Commission Chambers, Members present constituting a quorum were: John Mihm, Ruth Ann Litchfield, Mayor Robert Lumpkin, Amy Gutierrez, and Rick Haymaker.

City Staff members present were: Doug Powers, City Manager; Charlie Sandoval, Assistant City Manager; Angelica Gray, City Clerk; Dennis Dysart, Finance Director; Mercedes Rudisill, Human Resource Specialist; Vicki Strand, Community Development Director; Martin Encinias-Angel, Senior Center Director; Ralph Lopez, Project Administrator; and Mark Martinez, Project Manager.

Invocation presented by Pastor Mark Lake, St. Michael's Episcopal Church. Commissioner John Mihm led us in the Pledge of Allegiance.

Consideration of Changes or Deletions to the Agenda

Commissioner Mihm made the motion to approve the agenda as written and Commissioner Litchfield seconded the motion. Roll Call:

Haymaker	Mihm	Litchfield	Lumpkin	Gutierrez
Yes	Yes	Yes	Yes	Yes

Items from Commissioners

Commissioner Gutierrez thanked Mr. Lake for the invocation.

Commissioner Haymaker thanked everyone for coming tonight.

Commissioner Mihm stated there is positive forward movement in the City. He hopes it continues. He stated. He thanked everyone for their hard work at the Depot Museum, and the Rte. 66 Museum

Commissioner Litchfield thanked the City staff for putting the commission packet together.

Mayor Lumpkin stated he attended the Mesalands Community College meeting where Xcel Energy gave $8,000 to the College along with a $3,000 grant to the Art Space Center. Commissioner Haymaker stated it is known as the New Mexico Art Space Center and it is a way express art in different ways. They also have a storyteller from the Native American community. He stated that with this grant money they will be reopening the art school. He thanked Xcel Energy for this grant.

Mayor Lumpkin stated the Tucumcari Public Schools is sponsoring summer meals. They have meals from 11:30 – 12:30 p.m. at Elementary School playground and from 12:00 p.m. to 1:00 p.m. at Kvols Park.

Mayor Lumpkin asked the City staff and commission to approve or set up timeline for the citizens of Tucumcari to vote on changing the definition on how the gross receipts tax will be spent. He stated the definition can be changed legally with a vote of the people. He stated with this money, the City would clean up Sands Dorsey. It would then be changed back to its original definition.

He stated the building needs to be disposed of in a permitted hazardous waste landfill. He stated Clovis is currently in the process of getting their landfill permitted for hazardous materials. He stated the City could save a lot of the money by taking the material to Clovis.

Approval of Minutes

Commissioner Mihm made the motion to approve the June 12, 2014, work session notes as written and Commissioner Gutierrez seconded the motion. Roll Call:

Litchfield	Haymaker	Gutierrez	Mihm	Lumpkin
Yes	Yes	Yes	Yes	Yes

Commissioner Mihm made the motion to approve the June 12, 2014, commission meeting minutes as written and Commissioner Gutierrez seconded the motion. Roll Call:

Lumpkin	Gutierrez	Litchfield	Haymaker	Mihm
Yes	Yes	Yes	Yes	Yes

Commissioner Litchfield made the motion to approve the June 19, 2014 Executive Session minutes as written and Commissioner Mihm seconded the motion. Roll Call:

Haymaker	Lumpkin	Mihm	Gutierrez	Litchfield
Yes	Yes	Yes	Yes	Yes

Ordinances and Resolutions

Ordinance 1112, Second Reading, Amending the Zoning District Map – Mark Martinez stated the purpose of this Ordinance is to vacate the alley way behind the cheese factory in order for them to expand and have opportunities to pursue other businesses such as Kraft Cheese. This Ordinance gives all responsibility to Mr. Krause, the owner of the chees factory. The utility companies will still have access to the alley. Mr. Martinez stated that Mr. Krause understands that if the utilities need to relocated it will be at his own expense. He stated this puts the responsibility out of the City's hands in regards to the sewer.

Commissioner Mihm made the motion to Approve Ordinance 1112 and Commissioner Haymaker seconded the motion. Roll Call:

Mihm	Litchfield	Lumpkin	Gutierrez	Haymaker
Yes	Yes	Yes	Yes	Yes

Ordinance 1113, First Reading, Approval of an Application for Local Economic Development Assistance in Connection with an Upgrade In Wastewater Treatment – Mr. Vanderpool stated the City has an ongoing challenge with the wastewater which comes out from

the cheese factory. Mr. Krause is trying to rectify this issue. He has come to EDC with an application for assistance to put in a well and lift station on his property. This will allow him to do the extension he is proposing. Mr. Vanderpool stated this application is an eligible project and the cheese factory is an eligible entity and the EDC board has given a unanimous approval for this project.

Commissioner Litchfield asked if this is a ten year term. Mr. Vanderpool stated that most LEDA projects by statutes are ten year projects however, the commission, at its discretion, at any time they feel the business has met their obligations, can relieve the applicant from additional years of obligations.

Commissioner Mihm made the motion to approve the First Reading for Ordinance 1113 and Commissioner Gutierrez seconded the motion. Roll Call:

Haymaker	Mihm	Litchfield	Lumpkin	Gutierrez
Yes	Yes	Yes	Yes	Yes

Resolution 2014-20 - 4th Quarter Budget Adjustment Resolution – Dennis Dysart, Finance Director, stated this resolution is to adjust the budget dealing with items within the departments. He stated the BAR is basically zeroes with the exception of the $400,000 contingency, which has been removed at this point. The budget started at $650,000 deficit with primarily $400,000 contingency and the fire truck and we have lowered the budget to $261,000 deficit. He stated at the next meeting he will be bringing in the payroll and benefit budget adjustment, which will lower the budget again.

Commissioner Mihm made the motion to approve Resolution 2014-20 4th Quarter BAR and Commissioner Litchfield seconded the motion. Roll Call:

Litchfield	Haymaker	Gutierrez	Mihm	Lumpkin
Yes	Yes	Yes	Yes	Yes

Resolution 2014-21, Youth Conservation Corp. Grant – Mark Martinez stated he is asking for permission to proceed with the 2015 YCC grant. This grant is state funded and in-kind grant. He stated with this grant they will be working on the Del Norte Center.

Mr. Powers stated there has been several children work with this program. He stated the Del Norte Center needs improvements.

Mayor Lumpkin clarified this is a grant and in-kind loan. He stated this grant is $42,000 grant and $25,000 in-kind however; this is being made up by City staff, which means there will be no monies coming out of our budget.

Commissioner Gutierrez made the motion to approve Resolution 2014-21 Youth Conservation Corp. Grant and Commissioner Litchfield seconded the motion. Roll Call:

Lumpkin	Gutierrez	Litchfield	Haymaker	Mihm
Yes	Yes	Yes	Yes	Yes

Resolution 2014-22, Authorizing and Approving Submission of Application with NMFA for financial assistance for a Planning Grant for Drinking Water PER – Ralph Lopez stated he is asking for approval to submit an application with NMFA to provide funding to hire an engineer to prepare a preliminary engineer report for our Drinking Water System. He stated these PER's are required by funding agencies and they will not fund projects without an updated preliminary engineering report. He stated these grants are usually over $50,000 and we will not know if they are a 100% grant until the application is submitted.

Mr. Powers added that everyone is aware of the problems we have had with the Center tank. He stated this is our first step in securing this project.

Commissioner Gutierrez made the motion to approve Resolution 2014-22 and Commissioner Mihm seconded the motion. Roll Call:

Haymaker	Lumpkin	Mihm	Gutierrez	Litchfield
Yes	Yes	Yes	Yes	Yes

City Manager's Report

Mr. Powers thanked Charlie Sandoval, Assistant City Manager, for his attendance at the last commission meeting.

He stated last week he attended the City Manager's conference in Ruidoso. He met with Ms. Jacobson, Cabinet Secretary for the NM Tourism; she offered to give a presentation to the commission.

He stated that Rich Williams and Elmo Baca, with Mainstreet Program, gave a great EDC presentation at the conference. He stated these two gentlemen have stepped up for the community of Tucumcari.

He stated that Scot Vierheim gave water updates. He stated water is becoming a commodity.

He stated utility invoices will include information on how to reduce mosquitoes. He stated the City has begun spraying for mosquitoes.

He thanked Mr. Dysart for updating us on our gross receipts tax and we are showing a positive. He stated we are down to $92,000.00. He stated we continue to see an upswing on the gross receipts tax.

He thanked Ms. Strand and her staff. He stated the City has been awarded funding for the MAP project, which is for the completion of the Whitmore Project.

He stated he attended the Northeast Regional Transportation Planning Organization meeting. They have been working on a five year plan and they are expanding that to a fifteen or twenty year plan. They asked what the priorities are for our area. He stated Quay County for years, has had trouble on funding for bridges. He discussed the four lane of Highway 54. He thinks this is an important project.

Mayor Lumpkin added that he, Mr. Powers and Commissioner Mihm attended a railroad board meeting. He stated they are looking at the depot as being a museum for the railroad. He stated we have an enthusiastic board. He stated they discussed agreements between the museum board, City of Tucumcari, and Mainstreet Project. He thinks something positive will take place and it will add to Tucumcari.

BIDS & CONTRACTS

Requesting Approval of Agreement with HDR Engineering Inc., to provide Engineering Service for Wastewater Projects – Ralph Lopez asked for consideration of approval and agreement with HDR to provide engineering for several possible different wastewater projects. The primary project is the permitting of the Wastewater Treatment Plant. He stated there are currently two permits outstanding and the EPA has increased the requirements for our plants and therefore the engineering costs have increased to $16,815.00 from $13,000.00.

Mayor Lumpkin stated that HDR is the firm who conducted the upgrade at the Wastewater Treatment Plant.

Mr. Powers stated we have been discussing this for a couple of months. He stated the EPA and the environment department is changing their restrictions. He stated we are expanding our usage of discharge water to make it as broad as we can. He stated that as we renew these permits we will have to meet the increased requirements.

Mayor Lumpkin stated the unused water goes into No Name Creek and eventually goes into Ute Lake. EPA wants to make sure the water does not get to Ute Lake.

Commissioner Litchfield made the motion to approve the agreement with HDR Engineering, Inc and Commissioner Mihm seconded the motion. Roll Call:

Mihm	Litchfield	Lumpkin	Gutierrez	Haymaker
Yes	Yes	Yes	Yes	Yes

Requesting Approval of Airport Grant Agreement, Annual Consumables Grant- Ralph Lopez stated this grant is for a yearly consumable grant for the airport. He stated this grant is for $10,000 grant. He stated that $9,000 will be paid for by New Mexico DOT Aviation Division and $1,000 will be paid for by the City.

Mayor Lumpkin asked if the $1,000 can be paid with in-kind. Mr. Lopez does not believe it can.

Commissioner Gutierrez made the motion to approve the airport grant agreement, annual consumable grant and Commissioner Mihm seconded the motion. Roll Call:

Haymaker	Mihm	Litchfield	Lumpkin	Gutierrez
Yes	Yes	Yes	Yes	Yes

Requesting Approval of Contract for Foster Grandparents Program, Requesting Approval of Senior Companion Program; Requesting Approval of Memorandum of Understanding between City of Tucumcari and Easter Plains Community Action Agency; Requesting Approval of Memorandum of Understanding between City of Tucumcari and Tucumcari

Elementary School; Requesting Approval of North Central New Mexico Economic Development District Non Metro Area Agency on Aging; Requesting Approval of Grant Agreement 2014-1188 – Martin Encinias Angel stated the foster grandparent program is based at the Elementary School, Headstart and Early Headstart. He stated they currently have seven full time employees and early head start has requested three additional positions.

He stated the senior companion program is where senior citizens sit with other senior citizens and read or do light housework. The work is on a four hour basis.

He stated the MOU with the City of Tucumcari are with Tucumcari Elementary School and Eastern Plains Community Action Agency.

Non-Metro is the Senior Citizens Center for Tucumcari, House, and Logan. He stated on a daily basis there are 200 meals prepared and delivered with a staff of less than 20.

He stated Grant 2014-88 will provide new stoves and refrigerators for our centers.

Commissioner Mihm made the motion to approve the contract for Foster Grandparents Program; approval of Senior Companion Program; approval of Memorandum of Understanding between City of Tucumcari and Easter Plains Community Action Agency; approval of Memorandum of Understanding between City of Tucumcari and Tucumcari Elementary School; approval of North Central New Mexico Economic Development District Non Metro Area Agency on Aging; and approval of Grant Agreement 2014-1188 and Commissioner Litchfield seconded the motion. Roll Call:

Litchfield	Haymaker	Gutierrez	Mihm	Lumpkin
Yes	Yes	Yes	Yes	Yes

New Business

Recommendation from Lodger's Tax Advisory Board to Approve funding to Chamber of Commerce for $36,000 and $18,000; Tucumcari Alumni, for $7,840; and Mainstreet Fired Up, for $3,500; and an additional $2,600 for Rockabilly on the Route– Mayor Lumpkin stated Chamber of Commerce promotes Tucumcari in billboards, magazines, and events. He stated there is a group of people who are willing to promote Tucumcari and do a good job. He stated the Tucumcari Alumni is the group who puts the reunion together. He stated the Mainstreet Fired Up has requested $3,500 for their event, which has been a successful event; Rockabilly requested an additional $2,600 which had a bigger event than expected.

Mayor Lumpkin stated the $18,000 requested by Chamber of Commerce will be coming out of the promotional.

Commissioner Mihm made the motion to approve the recommendation from Lodger's Tax Advisory Board funding and Commissioner Litchfield seconded the motion. Roll Call:

Lumpkin	Gutierrez	Litchfield	Haymaker	Mihm
Yes	Yes	Yes	Abstain**	Yes

**Mayor Lumpkin stated that Commissioner Haymaker had a job with Rockabilly on the Route prior to his appointment as commissioner.

Approval of Advertising for City Manager- Mercedes Rudisill stated the commission received a copy of the advertisement in their packet, however; since then she has been in contact with the commission and she has come up with a final advertisement.

Commissioner Gutierrez made the motion to approve the advertising for City Manager and Commissioner Haymaker seconded the motion. Roll Call:

Haymaker	Lumpkin	Mihm	Gutierrez	Litchfield
Yes	Yes	Yes	Yes	Yes

Approval for Interim City Manager – Commissioner Litchfield stated this will be to appoint Doug Powers as interim city manager until a new manager is hired at which time he will then become assistant city manager. She stated Mr. Powers will return to his former salary prior to becoming city manager.

Mayor Lumpkin stated this has been discussed at length between the commission and Mr. Powers.

Commissioner Haymaker made the motion to approve Mr. Powers as interim city manager until a new manager is hired at which time he will become assistant city manager and Commissioner Gutierrez seconded the motion. Roll Call:

Mihm	Litchfield	Lumpkin	Gutierrez	Haymaker
Yes	Yes	Yes	Yes	Yes

Request for Approval of all City employees to carry over all vacation time – Mr. Powers stated this was discussed in the work session. He stated Pete Rivera, Larry Rigdon and himself discussed it with the commissioners.

Mayor Lumpkin stated that over the last three years when someone resigns or retires, we have asked our management to look at the possibility of not replacing that position. He stated at one time we had 140 employees and now we are at approximately 100. He stated although it is a good thing it also causes a burden. He stated we currently have employees who have not taken their vacation. He stated they were allowed to accumulate 80 hours and if not used, it was taken away from them. He stated we are asking that it be increased from 80 hours to 120 to keep from taking vacation days from our employees which they have earned.

Commissioner Litchfield made the motion to approve the City employees carry over their time from 80 hours to 120 hours and seconded by Commissioner Gutierrez. Roll Call:

Haymaker	Mihm	Litchfield	Lumpkin	Gutierrez
Yes	Yes	Yes	Yes	Yes

Public Comments

Gary Montano – He stated his standing in the City of Tucumcari is he is a registered voter in District Two. He stated he provided the commissioners with a three page information packet on the background and legality of Sands Dorsey. He stated there is a limited power of attorney which was signed on the 14th day of January, 2011 by Robert Hengstenberg, owner of Sands Dorsey and Tucumcari Motel. He understands that Mr. Hengstenberg signed over his rights to the City of Tucumcari. He stated a town meeting was requested which was postponed until the budget could be reviewed. He thinks the time has come to have a town hall meeting.

He asked the city commission to fund the ad in the Quay County Sun at the cost of $350.00 for the AAU girl's basketball team.

Patsy Gresham – She thanked the commission and the Lodger's Tax Board for the funding. She stated they plan on clear coating the murals along with putting Route 66 shields on Route 66. She stated she is looking for volunteers. She stated they plan on spending some of their money helping the Railroad Museum along with the Route 66 Museum.

Items from Commissioners

Commissioner Mihm thanked everyone for coming.

Commissioner Litchfield stated she visited the Route 66 Museum and it is a great museum. She thanked everyone for their comments. She stated she is proud of the AAU and she is hoping everyone will continue to support them.

Commissioner Gutierrez congratulated the girls for this opportunity to go to Las Vegas. She stated the Fired Up event is an awesome event. They have booths where the youth can earn money.

Commissioner Litchfield added that our community lost Lynn Moncus a great citizen. She will be greatly missed.

Commissioner Haymaker thanked everyone for coming out tonight. He stated he is aware of the shortcoming of Second Street.

Mayor Lumpkin asked Mr. Montano to bring a copy of the ad and they will look at it. He also stated we have possibly found the money to install a siren system. We have received cooperation from USDA and Congressman Lujan.

Adjournment

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

Litchfield	Haymaker	Gutierrez	Lumpkin	Mihm
Yes	Yes	Yes	Yes	Yes

Meeting adjourned at 7:11 p.m.

Robert Lumpkin, Mayor

ATTEST:

Angelica M. Gray, City Clerk